

6298. Also, petition by voters of Salem, Ohio, urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

6299. By Mr. O'CONNELL of New York: Petition of the Chamber of Commerce of the State of New York, strongly urges that the headquarters of the American Republic Line remain in New York; to the Committee on the Merchant Marine and Fisheries.

6300. By Mr. OLDFIELD: Petition of citizens of Fulton County, Ark., urging the passage of House bill 13450; to the Committee on Invalid Pensions.

6301. Also, petition of citizens of Randolph County, Ark., urging the passage of House bill 13450; to the Committee on Invalid Pensions.

6302. By Mr. PATTERSON: Memorial of Cactus Chapter No. 2 and Tuscon Chapter No. 4, Disabled American Veterans of the World War, recommending repeal of the last provision of paragraph 7, section 202, disabled American veterans relief act, of June 6, 1924, and urging enactment into law of House bill 16019; to the Committee on World War Veterans' Legislation.

6303. Also, memorial of Commercial Travelers' Association, praying for immediate action on the bill S. 1143 so as to discontinue the war-time Pullman surcharge by amending section 1 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

6304. By Mr. REED of New York: Petition of citizens of Olean, Limestone, and Rushford, N. Y., urging action on a Civil War pension bill (petition not attached); to the Committee on Invalid Pensions.

6305. By Mr. REID of Illinois: Petition signed by inmates of the Soldiers Widows' Home at Wilmington, Ill., urging passage of legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

6306. By Mrs. ROGERS: Resolution and petition of the National Council of Traveling Salesmen's Associations, for the repeal of the war-time Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

6307. By Mr. ROWBOTTOM: Petition of Mrs. Cordelia Corder and others, of Gibson County, Ind., that the bill increasing the pension of Civil War widows be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

6308. By Mr. SANDERS of New York: Petition of 105 residents of the thirty-ninth congressional district, opposing the passage of compulsory Sunday observance bills; to the Committee on the District of Columbia.

6309. Also, petition of the congregation of the United Presbyterian Church of Pavilion, N. Y., unanimously urging the passage of House bill 10311, the Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

6310. Also, petition of 59 residents of the thirty-ninth congressional district of New York, urging the passage of House bill 10311, the Sunday rest bill for the District of Columbia; to the Committee on the District of Columbia.

6311. By Mr. SCHNEIDER: Petition of voters of Green Bay, Wis., urging legislative relief for veterans and widows of the Civil War; to the Committee on Invalid Pensions.

6312. Also, petition of voters of Crandon, Wis., urging legislative relief for veterans and widows of the Civil War; to the Committee on Invalid Pensions.

6313. Also, petition of voters of Gillett, Wis., urging legislative relief for veterans and widows of the Civil War; to the Committee on Invalid Pensions.

6314. By Mr. SINCLAIR: Petition of representatives of 900,000 traveling salesmen, for the repeal of the war-time Pullman surcharge; to the Committee on Interstate and Foreign Commerce.

6315. By Mr. STRONG of Kansas: Petition of voters of Concordia, Kans., urging passage of Civil War pension bill for widows and veterans; to the Committee on Invalid Pensions.

6316. By Mr. TEMPLE: Petition of members and adherents of the Chartiers Cross Roads United Presbyterian Church, Washington County, Pa., in support of the Lankford Sunday rest bill (H. R. 10311); to the Committee on the District of Columbia.

6317. By Mr. THATCHER: Petition of numerous residents of Louisville, Ky., urging passage of a bill granting increases of pension to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6318. Also, petition of certain residents of Louisville, Ky., urging passage of a bill granting increases of pension to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6319. By Mr. THOMPSON: Petition of 140 citizens of Putnam County, Ohio, urging passage of legislation granting more liberal pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6320. By Mr. THURSTON: Petition of citizens of Adams County, Iowa, requesting the Congress to pass legislation to increase pensions of veterans of the Civil War; to the Committee on Invalid Pensions.

6321. Also, petition of Greater Des Moines Committee, indorsing the McNary-Haugen bill; to the Committee on Agriculture.

6322. Also, petition of citizens of Afton, Union County, Iowa, requesting the Congress to pass legislation to increase pensions now allowed to veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

6323. By Mr. UNDERWOOD: Petition of Mrs. Clyde Humphreys et al., Mrs. Emma Hockman et al., Chas. C. Wolfe et al., D. P. Camp et al., and David C. Throckmorton et al., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

6324. By Mr. VINCENT of Michigan: Petition of residents of the eighth district, urging further relief for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

6325. By Mr. WATSON: Petitions from residents of Bucks County, Pa., urging further relief for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, February 9, 1927

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our heavenly Father, we love to call Thee by that name, for such is the endearment because we know that Thou art looking after our interests and ever seeking our welfare. Thou hast permitted us to see the morning light and opened to us opportunities of service in Thy name and for Thy glory. Be pleased to be with us this day. Guide our thoughts, influence our purposes, and lead us onward. For Thy name's sake we ask it. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that Mr. TINKHAM and Mr. GRIFFIN were appointed as additional managers on the part of the House at the conference on the bill (H. R. 16576) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1928, and for other purposes.

The message also announced that the House had passed a bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 3634. An act providing for the preparation of a biennial index to State legislation;

S. 4942. An act to authorize an appropriation for the purchase of certain privately owned land within the Jicarilla Indian Reservation, N. Mex.;

S. 5499. An act authorizing a survey of the Caloosahatchee River drainage area in Florida, and of Lake Okeechobee and certain territory bordering its shores in Florida;

H. R. 585. An act for the relief of Frederick Marshall;

H. R. 1105. An act for the relief of the Kelly Springfield Motor Truck Co. of California;

H. R. 1330. An act for the relief of Helene M. Hubrich;

H. R. 1464. An act for the relief of Charles C. Hughes;

H. R. 2184. An act for the relief of James Gaynor;

H. R. 2491. An act for the relief of Gordan A. Dennis;

H. R. 4376. An act to allow and credit the accounts of Joseph R. Hebblethwaite, formerly captain, Quartermaster Corps, United States Army, the sum of \$237.90 disallowed by the Comptroller General of the United States;

H. R. 4719. An act for the relief of the New Braunfels Brewing Co.;

H. R. 5866. An act for the relief of the Lehigh Coal & Navigation Co.;

H. R. 5991. An act authorizing the adjustment of the boundaries of the Black Hills and Harney Forests, and for other purposes;

H. R. 6586. An act for the relief of Russell W. Simpson;

H. R. 6806. An act authorizing the payment of a claim to Alexander J. Thompson;

H. R. 7156. An act for the relief of Maurice E. Kinsey;

H. R. 7617. An act to authorize payment to the Pennsylvania Railroad Co., a corporation, for damage to its rolling stock at Raritan Arsenal, Metuchen, N. J., on August 16, 1922;

H. R. 7921. An act to authorize the Commissioner of the General Land Office to dispose by sale of certain public land in the State of Arkansas;

H. R. 8345. An act for the relief of Crane Co.;

H. R. 8685. An act for the relief of Henry S. Royce;

H. R. 9045. An act to establish a national military park at and near Fredericksburg, Va., and to mark and preserve historical points connected with the Battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, Va.;

H. R. 9287. An act for the relief of Albert G. Tuxhorn;

H. R. 9667. An act for the relief of Columbus P. Pierce;

H. R. 9912. An act approving the transaction of the adjutant general of the State of Oregon in issuing property to sufferers from a fire in Astoria, Ore., and relieving the United States property and disbursing officer of the State of Oregon and the State of Oregon from accountability therefor;

H. R. 10076. An act for the relief of the estate of William C. Perry, late of Cross Creek Township, Washington County, Pa.;

H. R. 10130. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the president of the Rotary Club of Crawfordsville, Montgomery County, Ind., a bell of a battleship that is now or may be in his custody;

H. R. 10725. An act for the relief of Capt. C. R. Insley;

H. R. 11325. An act to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and acts in amendment thereof;

H. R. 11762. An act to provide for the sale of uniforms to individuals separated from the military or naval forces of the United States;

H. R. 12064. An act providing for a grant of land to the county of San Juan, in the State of Washington, for recreational and public-park purposes;

H. R. 12212. An act authorizing the Secretary of the Navy to dispose of obsolete aeronautical equipment to accredited schools, colleges, and universities;

H. R. 12309. An act for the relief of the Bell Telephone Co. of Philadelphia, Pa., and the Illinois Bell Telephone Co.;

H. R. 12852. An act authorizing the Secretary of the Navy to accept on behalf of the United States title in fee simple to a certain strip of land and the construction of a bridge across Archers Creek in South Carolina;

H. R. 12889. An act to relinquish the title of the United States to the land in the claim of Moses Steadham, situate in the county of Baldwin, State of Alabama;

H. R. 12931. An act to provide for maintaining, promoting, and advertising the International Trade Exhibition;

H. R. 13481. An act authorizing the Secretary of the Treasury to accept title for post-office site at Olyphant, Pa., with mineral reservations;

H. R. 14248. An act to amend the provision contained in the act approved March 3, 1915, providing that the Chief of Naval Operations, during the temporary absence of the Secretary and Assistant Secretary of the Navy, shall be next in succession to act as Secretary of the Navy;

H. R. 15537. An act to amend section 476 and section 4934 of the Revised Statutes;

H. R. 15604. An act for the promotion of rifle practice throughout the United States;

H. R. 15651. An act to encourage breeding of riding horses for Army purposes;

H. R. 15653. An act to furnish public quarters, fuel, and light to certain civilian instructors in the United States Military Academy;

H. R. 15821. An act to revise the boundary of the Hawaii National Park on the island of Maui, in the Territory of Hawaii;

H. R. 15959. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, com-

missions, and offices for the fiscal year ending June 30, 1928, and for other purposes;

S. J. Res. 141. Joint resolution to approve a sale of land by one Moshulatubba or Mushulatubbe on August 29, 1832; and

H. J. Res. 233. Joint resolution authorizing the Secretary of War to loan certain French guns which belong to the United States and are now in the city park at Walla Walla, Wash., to the city of Walla Walla, and for other purposes.

LEASES GRANTED BY THE SECRETARY OF WAR

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a list of leases granted by the Secretary of War under authority of law during the calendar year 1926, which was referred to the Committee on Military Affairs.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint memorial of the Legislature of the State of Oregon, which was referred to the Committee on Irrigation and Reclamation:

STATE OF OREGON,

Department of State, Salem, February 4, 1927.

To the honorable the PRESIDENT of the UNITED STATES SENATE,

Senate Chamber, Washington, D. C.

DEAR SIR: By direction of the Thirty-fourth Legislative Assembly of the State of Oregon, I have the honor to transmit herewith for your consideration a certified copy of Senate Joint Memorial No. 6, urging the Congress of the United States to take favorable action upon Senate bill 4627 providing for the development of the Umatilla Rapids power and irrigation project on the Columbia River.

Very respectfully,

SAM A. KOZER,
Secretary of State.

Senate Joint Memorial 6

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas there is pending before Congress Senate bill 4627, introduced by Senator McNARY, which provides for the development of the Umatilla Rapids power and irrigation project on the Columbia River; and

Whereas the early development of this project is of vital interest to the people and the industries of the Northwest, as it will make available an abundance of power at an extraordinarily low cost and possible reclamation of large areas of arid land; and

Whereas because of the nature and location of the project many interstate questions are involved which are beyond State control and which can be met and solved only by the Federal Government; and

Whereas the State of Oregon, by reason of the great sums which it has contributed to the reclamation fund, is entitled to just treatment in the matter of Federal aid for irrigation development: Now therefore be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That we, your memorialists, the Senate of the State of Oregon (the House of Representatives concurring), respectfully ask that favorable action be taken upon said Senate bill 4627 by Congress in order that works on the Umatilla project may be undertaken at an early date and the great amount of undeveloped power now going to waste may be finally utilized and the desert made to produce through reclamation which will be made possible through the power development; be it further

Resolved, That the secretary of state be, and he is hereby, directed to transmit a copy of this memorial to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of our Senators and Representatives in Congress.

Adopted by the senate January 26, 1927.

HARRY L. CORBETT,
President of the Senate.

Concurred in by the house of representatives February 2, 1927.

JOHN H. CARKIN,
Speaker of the House.

(Indorsed: Senate Joint Memorial 6, introduced by Umatilla County delegation. Jno. P. Hunt, chief clerk. Filed February 4, 1927. Sam A. Kozier, secretary of state.

UNITED STATES OF AMERICA,

STATE OF OREGON,

OFFICE OF THE SECRETARY OF STATE.

I, Sam A. Kozier, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of Senate Joint Memorial No. 6 with the original thereof adopted by the Senate and House of Representatives of the Thirty-fourth Legislative Assembly of the State of Oregon and filed in the office of the secretary of state of the State of Oregon February 4, 1927, and that the same is a full, true, and complete

transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 4th day of February, A. D. 1927.

SAM A. KOZER,
Secretary of State.

The VICE PRESIDENT also laid before the Senate a telegram in the nature of a petition, which was ordered to lie on the table and to be printed in the RECORD, as follows:

BLOOMINGTON, ILL., February 8, 1927.

Vice President CHARLES G. DAWES,

Washington, D. C.:

We, the delegates to the annual meeting of the State Farm Mutual Automobile Insurance Co., 400 in number, representing 50,000 policyholders located in Illinois, Indiana, Michigan, Minnesota, South Dakota, Missouri, and Tennessee, in convention assembled, unreservedly, unequivocally, and unanimously indorse the McNary-Haugen surplus control measure in its present form, now before Congress, a measure that we consider at the present the most vital issue affecting the people we serve and work with, and urge that every effort be put forth to secure its immediate passage.

J. S. JONES, *Minnesota.*
C. L. BRODY, *Michigan.*
H. R. NEVINS, *Indiana.*
E. B. BARCLAY, *Tennessee.*
E. L. CORBIN, *Missouri.*
A. W. TOMPKINS, *South Dakota.*
G. J. MECHERLE, *Illinois.*

The VICE PRESIDENT also laid before the Senate telegrams in the nature of memorials from the members of the board of directors of the Milk Producers' Association, with membership in Illinois, Wisconsin, and Indiana, and members of the Women's Auxiliary of the Milk Producers' Association of the Chicago (Ill.) district, remonstrating against the passage of legislation providing for the creation of any board or commission to handle farm products for the farmers and which may assess a tax on farm products, etc., which were ordered to lie on the table.

Mr. McMASTER presented the following resolution of the Legislature of the State of South Dakota, which was referred to the Committee on Commerce:

Senate Concurrent Resolution 7, introduced by committee on agriculture, relating to the Great Lakes-St. Lawrence deep waterway project

Whereas the engineers employed by the United States Government to make surveys of the St. Lawrence River and plans of necessary dams, locks, and ship channels have reported that the Great Lakes-St. Lawrence ship channel is feasible and can be constructed at a cost which is reasonable compared to the benefits that will be derived therefrom; that such channel permitting ocean-going vessels to enter the Great Lakes ports will apparently make a saving in freight of at least 10 cents per bushel on grains exported from the midcontinent and a corresponding economy on imports from the Atlantic seaboard and from other continents; that this saving may make the difference between profit and loss to the farmers in much of our grain-growing areas; and

Whereas the International Joint Commission created by the treaty of 1909 has reported that the said project is not only feasible, but that the expanding development of the Middle West emphatically demands the immediate construction of this Great Lakes-St. Lawrence ship channel; and

Whereas the committee appointed by the President of the United States, with the Hon. Herbert Hoover as chairman, has reported that the construction and development of the said Great Lakes-St. Lawrence ship channel is feasible and highly desirable, and will result in relieving the burden of excessive transportation costs paid by the people of South Dakota and the Middle West: Now therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That we request the Hon. Calvin Coolidge, as the Chief Executive of the United States, and the Senate of the United States to perfect without unnecessary delay the treaty between the United States of America and the Dominion of Canada relative to the construction of the Great Lakes-St. Lawrence ship channel, and that our representatives in the Senate are hereby urged to actively support any treaty or measure tending to bring about the construction of the said ship channel at the earliest possible date; and be it further

Resolved, That the Hon. Herbert Hoover and the members of his committee are urged to use their utmost efforts in promoting the construction of this outlet to the ocean commerce vital to the people of South Dakota; be it further

Resolved, That a copy of this resolution be forthwith transmitted by the secretary of the senate to each Member of the United States Senate of the State of South Dakota, and that a copy thereof be also forwarded to the President of the United States.

H. E. COVEY,
President of the Senate.
W. J. MATSON,
Secretary of the Senate.
R. F. WILLIAMSON,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. ROBINSON of Indiana presented the following resolution of the Legislature of the State of Indiana, which was referred to the Committee on Finance:

UNITED STATES OF AMERICA,
STATE OF INDIANA,
Office of the Secretary of State.

I, F. E. Schortemeier, secretary of state of the State of Indiana, hereby certify that the annexed page contains a full, true, and complete copy of the document entitled "Senate Enrolled Concurrent Resolution No. 1" of the seventy-fifth regular session of the General Assembly of the State of Indiana, filed in my office at 4.16 p. m. on February 4, 1927, as the same appears on file, as the law directs, in this office.

In testimony whereof I hereunto set my hand and affix the great seal of the State of Indiana. Done at my office, in the city of Indianapolis, this 7th day of February, A. D. 1927.

[SEAL.]

F. E. SCHORTEMEIER,
Secretary of State.

Senate Enrolled Concurrent Resolution 1, memorializing the Congress of the United States to abolish the Federal estate tax

Whereas the Federal estate (inheritance) tax law, as amended February 26, 1926, provides that the estate liable thereunder shall be credited with any inheritance tax paid by its beneficiaries to the State or States, the credit to exceed 80 per cent of the Federal levy; and

Whereas this amendment menaces the rights of the States, because its object is to persuade them to abandon their State inheritance tax laws in favor of statutes based on the Federal law, and the tax not being required for revenue at this time, its only object now must be coercion of the States; and

Whereas the joint levy is contrary to the theory of this Government, unprecedented, and offensive to the independence of the legislatures of the sovereign States: Therefore

SECTION 1. *Be it resolved by the senate (the house of representatives concurring),* That we hereby request the present Congress to repeal immediately the Federal estate (inheritance) tax provisions of the revenue law effective February 26, 1926, and abandon this field of taxation in time of peace.

SEC. 2. That certified copies of this concurrent resolution be forwarded by the secretary of state to our Senators and Representatives in the Congress of the United States.

F. HAROLD VAN ORMAN,
President of the Senate.
HARRY G. LESLIE,
Speaker of the House of Representatives.
ED JACKSON,
Governor of the State of Indiana.

Filed February 4, 1927, 4.16 p. m.

F. E. SCHORTEMEIER,
Secretary of State.

Mr. NEELY presented the following resolution of the Legislature of the State of West Virginia, which was referred to the Committee on Finance:

Enrolled Senate Joint Resolution 1, by Mr. Hallanan, memorializing the Congress of the United States to repeal the Federal estate-tax provisions of the revenue law effective February 26, 1926

Resolved by the Senate of West Virginia (the House of Delegates concurring therein)—

Whereas the Federal estate tax law, as amended February 26, 1926, provides that any estate liable thereunder shall be credited with any inheritance tax paid by its beneficiaries to the State, or States, the credit not to exceed 80 per cent; and

Whereas this amendment is in derogation of the rights of the States, because its object is to persuade them to abandon their State inheritance tax laws in favor of the statutes based on the Federal law, giving effect to a joint levy upon estates by the Nation and State; and

Whereas the tax is not required for revenue and is useful as a means of coercing the States; and

Whereas the policy of joint levies is contrary to the theory of this Government and an aggression upon the authority, jurisdiction, and independence of the legislatures of the sovereign States: Therefore be it

Resolved, That we hereby memorialize the present Congress to repeal immediately the Federal estate-tax provisions of the revenue law effective February 26, 1926, and vacate this field of taxation in time of peace.

Adopted January 24, 1927.

JOHN T. HARRIS,
Clerk of the Senate.
M. S. HODGES,
Clerk of the House of Delegates.

Mr. ASHURST presented a telegram in the nature of a petition, which was ordered to lie on the table and to be printed in the RECORD, as follows:

PHOENIX, ARIZ., February 8, 1927.

Hon. HENRY F. ASHURST,
United States Senate, Washington, D. C.:

Following is House Joint Memorial No. 4, introduced by Mr. Jones, of Maricopa County, which passed the Arizona Legislature to-day: "To the Congress of the United States of America: Your memorialists, the Eighth Legislature of the State of Arizona in regular session assembled respectfully represent that agriculture is one of the vital industries of the State of Arizona and has suffered repeated setbacks since the year 1919 and now languishes; that a certain measure now pending in the Congress of the United States, known as the McNary-Haugen bill, evinces a thorough understanding of the reason of price depression of the five major agriculture products resulting from the surplus in bumper-crop years, and proposes an adequate remedial plan to prevent the suffering and depression following the present extreme market fluctuations from one year to another. Wherefore your memorialists, the Eighth Legislature of the State of Arizona in regular session assembled urgently request Congress to enact into law the above-named McNary-Haugen bill."

Will you please have a copy of this telegram made for Representative HAYDEN. A certified copy of memorial is being forwarded to yourself, Representative HAYDEN, the President of the Senate, and the Speaker of the House.

F. R. DUREX, Chief Clerk.

Mr. BRUCE presented a memorial of sundry citizens of the State of Maryland, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday, or any other legislation of a religious character, which was referred to the Committee on the District of Columbia.

Mr. WILLIS presented memorials of sundry citizens of the State of Ohio, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday, or any other legislation of a religious character, which were referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of the State of Ohio, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Findlay, Ohio, praying for the prompt passage of the so-called White radio bill without amendment, which were ordered to lie on the table.

Mr. COPELAND presented numerous memorials of sundry citizens of the State of New York, remonstrating against the passage of the bill (S. 4821) to provide for the closing of barber shops in the District of Columbia on Sunday, or any other legislation of a religious character, which were referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Saratoga Springs, N. Y., which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, without the names, as follows:

To the Hon. ROYAL S. COPELAND,
Washington, D. C.

HONORED SIR: We, the undersigned citizens and taxpayers of the city of Saratoga Springs and State of New York, having been informed that the wages paid employees in the United States custodian service run from \$1,080 to \$1,140 per year, a wage that is entirely inconsistent with present-day costs, with the humble though useful services performed by these employees of the Government, do herewith respectfully petition you to vote for and use your influence to have passed at the present session of Congress a new wage schedule formulated by the United States Federal Employees Custodian Service Association, which would grant these worthy and deserving employees an increase of \$120 per year maximum and a minimum increase of \$60 per year, constituting a wage schedule of \$1,200 per year, which we consider a very conservative wage to meet present-day costs.

Very respectfully yours,

Mr. COPELAND also presented resolutions adopted by the annual meeting of the American Forestry Association at New Haven, Conn., favoring the passage of legislation providing for the purchase of forest lands under the so-called Weeks Act, and the enlargement of the White Mountain National Forest, etc., which were ordered to lie on the table.

Mr. WATSON presented a concurrent resolution adopted by the Legislature of the State of Indiana, favoring the immediate repeal of the Federal estate (inheritance) tax provisions of the existing revenue law and the abandonment by the Federal Government of that field of taxation in time of peace, which was referred to the Committee on Finance. (See similar resolution printed in full when presented to-day by Mr. ROBINSON of Indiana.)

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (S. 5479) to authorize the Secretary of the Navy to dispose of certain parts of the frigate *Constitution* to be used as souvenirs, reported it without amendment and submitted a report (No. 1430) thereon.

Mr. PEPPER, from the Committee on Naval Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 4332) to authorize the Secretary of the Navy to modify agreements heretofore made for the settlement of certain claims in favor of the United States (Rept. No. 1434); and

A bill (H. R. 10238) for the relief of Josiah Ogden Hoffman (Rept. No. 1436).

Mr. LENROOT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 14925) authorizing the sale of the new subtreasury building and site in San Francisco, Calif., reported it without amendment and submitted a report (No. 1432) thereon.

Mr. BORAH, from the Committee on Foreign Relations, to which was referred the bill (S. 5638) providing for payment to the German Government of \$461.59 in behalf of the heirs or representatives of the German nationals, John Adolf, Hermann Pegel, Franz Lipfert, Albert Wittenburg, Karl Behr, and Hans Dechantsreiter, reported it without amendment and submitted a report (No. 1433) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (S. 3688) for the relief of Elizabeth Lynh, reported it with an amendment and submitted a report (No. 1431) thereon.

Mr. DENEEN, from the Committee on Claims, to which was referred the bill (S. 2788) for the relief of Joseph Jameson, reported it without amendment and submitted a report (No. 1435) thereon.

Mr. GOFF, from the Committee on Claims, to which was referred the bill (H. R. 11914) for the relief of the United States Fidelity & Guaranty Co., reported it without amendment and submitted a report (No. 1437) thereon.

Mr. MEANS, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 3432) for the relief of Joel C. Clore (Rept. No. 1438);

A bill (H. R. 3602) for the relief of Charles W. Shumate (Rept. No. 1439); and

A bill (H. R. 8894) for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands (Rept. No. 1440).

Mr. WADSWORTH, from the Committee on Military Affairs I submit, on behalf of the junior Senator from Connecticut [Mr. BINGHAM], who is ill, three adverse reports, and in his behalf I move the indefinite postponement of the bills.

The bills were indefinitely postponed as follows:

A bill (S. 4140) granting grade, rank, pay, and allowances of retired warrant officer to Sergt. Otto Krause;

A bill (H. R. 4311) for the relief of Edward Tigh, deceased; and

A bill (H. R. 7228) correcting the military record of William H. Murphy.

PUBLIC BUILDINGS AT QUANTICO, VA.

Mr. HALE. From the Committee on Naval Affairs I report back favorably without amendment the bill (H. R. 14242) to authorize the Secretary of the Navy to proceed with the construction of certain public works at Quantico, Va., and I submit a report (No. 1441) thereon. I ask unanimous consent for its immediate consideration.

Mr. CURTIS. Is it a unanimous report?

Mr. HALE. It is a unanimous report.

Mr. CURTIS. And is recommended by the department?

Mr. HALE. It is recommended by the department. It is merely an authorization.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill and it was read, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to proceed with the construction of certain public works at Quantico, Va.—toward the replacement of the temporary buildings erected during the World War—one regimental group of barracks, \$850,000; three storehouses, \$225,000; commissary, bakery, cold storage, and ice plant, \$150,000; disciplinary barracks, \$30,000; motor transport storehouse and repair shop, \$100,000; power house and equipment in part, \$380,000; apartment houses for officers, not to exceed \$870,000; improvement of grounds and distributing system in part, \$100,000; total, \$2,205,000, to be accounted for as one fund, and said sums are hereby authorized to be appropriated.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on February 9, 1927, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 3634. An act providing for the preparation of a biennial index to State legislation;

S. 4942. An act to authorize an appropriation for the purchase of certain privately owned land within the Jicarilla Indian Reservation, N. Mex.;

S. 5499. An act authorizing a survey of the Caloosahatchee River drainage area in Florida, and of Lake Okechobee and certain territory bordering its shores in Florida; and

S. J. Res. 141. Joint resolution to approve a sale of land by one Moshulatubba or Mushulatubbe on August 29, 1832.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL:

A bill (S. 5652) for the relief of Susan T. Smoke; to the Committee on Claims.

By Mr. LENROOT:

A bill (S. 5653) for the relief of Fred A. Knauf; to the Committee on Claims.

By Mr. PEPPER:

A bill (S. 5654) to extend the time for construction of a bridge across the Susquehanna River, in Northumberland and Snyder Counties, State of Pennsylvania; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 5655) granting patent to O. E. Moore; to the Committee on Public Lands and Surveys.

A bill (S. 5656) for the relief of John James Kirwan Koughan; to the Committee on Naval Affairs.

A bill (S. 5657) for the relief of Charles E. Davis; to the Committee on Finance.

A bill (S. 5658) granting a pension to Edward J. Breslin; and

A bill (S. 5659) granting a pension to Walter S. Cargill; to the Committee on Pensions.

By Mr. HARRELD (by request):

A bill (S. 5660) to provide funds for the upkeep of the Puyallup Indian cemetery at Tacoma, Wash.;

A bill (S. 5661) to authorize a per capita payment from tribal funds to the Fort Hall Indians; and

A bill (S. 5662) to authorize the Secretary of the Interior to expend certain Indian tribal funds for industrial purposes; to the Committee on Indian Affairs.

By Mr. SHORTRIDGE:

A bill (S. 5663) to extend medical and hospital relief to retired officers and enlisted men of the United States Coast Guard; to the Committee on Finance.

By Mr. FLETCHER:

A bill (S. 5664) for relief of the Bowers Southern Dredging Co. (with an accompanying paper); to the Committee on Commerce.

CHANGE OF REFERENCE

Mr. BROUSSARD. Mr. President, on December 22, 1926, I introduced a bill which was referred to the Committee on Public Buildings and Grounds. A similar bill was introduced in the House, and passed the House. When it came over here, it was sent to the Finance Committee. I have spoken to the chairmen of both committees, and, with their consent, I ask unanimous consent that House bill 15414, to authorize the United States Veterans' Bureau to accept a title to lands re-

quired for a hospital site in Rapides Parish, La., be referred to the Committee on Public Buildings and Grounds, and that the Committee on Finance be discharged from its further consideration.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. That is a proper request. The bill ought to have gone to the Public Buildings and Grounds Committee rather than to the Finance Committee.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENTS TO FARM RELIEF BILL

Mr. McKELLAR and Mr. McNARY each submitted sundry amendments intended to be proposed by them to the bill (S. 4808) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities, which were ordered to lie on the table and to be printed.

HOUSE BILL REFERRED

The bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

AMENDMENT OF COTTON FUTURES ACT

Mr. RANSDELL. I ask unanimous consent for the present consideration of the bill (S. 4974) to amend and reenact an act entitled "United States cotton futures act," approved August 11, 1916, as amended. There is no controversy about the bill. It was unanimously reported by the Committee on Agriculture and Forestry.

Mr. SMITH. I should like to say that it is simply to enable a great cotton market to be denominated a spot market.

Mr. CURTIS. I have no objection.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read as follows:

Be it enacted, etc., That the act entitled "United States cotton futures act," approved August 11, 1916, as amended, be amended as follows:

In section 6, after the words "established by the sale of spot cotton," strike out the following words: "In the market where the future transaction involved occurs and is consummated, if such market be a bona fide spot market; and in the event there be no bona fide spot market at or in the place in which such future transaction occurs, then, and in that case, the said differences above or below the contract price which the receiver shall pay for cotton above or below the basis grade shall be determined by the average actual commercial differences in value thereof, upon the sixth business day prior to the day fixed, in accordance with the sixth subdivision of section 5, for the delivery of cotton on the contract," so that section 6 as amended will read as follows:

"SEC. 6. That for the purposes of section 5 of this act the differences above or below the contract price which the receiver shall pay for cotton of grades above or below the basis grade in the settlement of a contract of sale for the future delivery of cotton shall be determined by the actual commercial differences in value thereof upon the sixth business day prior to the day fixed, in accordance with the sixth subdivision of section 5, for the delivery of cotton on the contract, established by the sale of spot cotton in the spot markets of not less than five places designated for the purpose from time to time by the Secretary of Agriculture, as such values were established by the sales of spot cotton, in such designated five or more markets: *Provided*, That for the purpose of this section such values in the said spot markets be based upon the standards for grades of cotton established by the Secretary of Agriculture: *And provided further*, That whenever the value of one grade is to be determined from the sale or sales of spot cotton of another grade or grades, such value shall be fixed in accordance with rules and regulations which shall be prescribed for the purpose by the Secretary of Agriculture."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUARY HALL

Mr. ASHURST. Mr. President, I ask unanimous consent to print in the RECORD certain parts of the legislation creating the National Statuary Hall in the Capitol Building; also certain excerpts relating to Statuary Hall from the Annual Report of the Architect of the Capitol for the year ending June 30, 1926.

The matter referred to is as follows:

STATUARY HALL, FORMERLY HALL OF THE HOUSE OF REPRESENTATIVES

For many years prior to the completion of the House wing of the Capitol, and while the Members of the House of Representatives were meeting in what is commonly termed the old Hall of the House, now known as Statuary Hall, the final disposition of this room, when

the House of Representatives should take possession of the new chamber then under construction, was a question discussed by many and from different points of view. Early in the year 1854 Gouverneur Kemble, formerly a Member of the House of Representatives from the State of New York, seems to have visited the Capitol, and at this time discussed with Capt. Montgomery C. Meigs the prospect of the use of this hall for the exhibition of historical paintings, but finally decided that the space between the columns was too limited for such a purpose. The suggestion was then made that the hall be used for the display of the busts and statues of distinguished Americans, with the prediction that the States, if given an opportunity, would vie with each other in honoring those citizens whose lives had been devoted to commendable activities in the service of the public, producing a condition according to the opinion of Gouverneur Kemble described in the following words, "Thus in a few years would be created a great national mausoleum, a place which would become, like a tomb of Westminster Abbey, the highest reward of a grateful nation."

At this time, early in 1854, Captain Meigs was enthusiastically engaged as superintendent of construction in the erection of the extensions of the Capitol. His training at West Point and his natural tendencies resulted in a fondness for the fine arts, particularly the art of sculpture. These new works or additions to the original Capitol demanded his attention to such an extent that he gave but little thought to the suggestions of Hon. Gouverneur Kemble, except to answer his letters and at the same time call his attention to the larger opportunity to be given in the new Senate Chamber and House of Representatives for the art of the sculptor and the painter.

In a reference to the old Hall of the House he writes:

"I have proposed from the first to make the Hall of the House of Representatives a place for the public to congregate and for the display of works of art. As it is not suited for paintings, at least for any great collection of them, I hope that in time it will be furnished with statues; and I think that whenever the time may come to renovate it, if it be committed to my charge, I will contrive to include in the appropriation for the purpose a sum to place proper pedestals between the columns, and they will soon be occupied. It is on this principle that I have put so many niches in the wings."

Beyond this correspondence between Gouverneur Kemble and Captain Meigs there seems to have been no other recorded outline of a plan for the future use of the old Hall of the House after the occupancy of the new Hall had commenced.

On Wednesday, December 16, 1857, the first session of the House of Representatives was held in the new Hall of Representatives in the House wing. In the time which had elapsed between the correspondence with Gouverneur Kemble, much had transpired to lessen the influence of Captain Meigs in matters relating to the decorations in the extensions under his charge. In fact, early in 1858, the storm which had been for some time gathering force seemed to come to a climax and the controversy relating to the decoration of the Capitol finally terminating in the appointment of an art commission, deprived Captain Meigs of the authority to direct the art matters of the Capitol.

From very meager sources of information it appears that the occupancy of the former Hall of the House of Representatives was of such a character that the beautiful chamber was abandoned to the use of such stragglers as chose to congregate there. Small stands for the sale of fruit and other eatables occupied to some extent this vacant space, and the general character of the room was unsightly and out of keeping with the general purposes of a beautiful room forming a part of the National Capitol.

With the coming of the War between the States the conditions surrounding this abandoned hall in which some of the great men of our country had been associated as Congressmen failed to improve, and at last when it seemed that a change must be made the question of creating from this neglected spot a national statuary hall, in which the ideas of Gouverneur Kemble, amplified and clarified by mature discussion, resulted in the act of July 2, 1864, which forever changed conditions which had existed since the hall was vacated in December, 1857.

The legislation referred to commenced January 6, 1864, with the introduction in the House of Representatives by Hon. J. S. Morrill, then a Representative from the State of Vermont, of a resolution as follows:

"Resolved, That the Committee on Public Buildings be requested to examine and report as to the expediency of setting apart the old Hall of the House of Representatives as a hall for statuary; and also as to the cost of a new flooring and bronze railing on each side of the passageway through the hall, preparatory to the reception of such works of art."

Following the idea contained in this resolution the Committee on Public Buildings and Grounds reported a joint resolution which in the process of legislative discussion and amendment finally resulted in the passage and approval on July 2, 1864, of the law as contained in the Revised Statutes of the United States in section 1814, as follows:

"Sec. 1814. Suitable structures and railings shall be erected in the old Hall of Representatives for the reception and protection of statuary,

and the same shall be under the supervision and direction of the Chief of Engineers in charge of public buildings and grounds. And the President is authorized to invite all the States to provide and furnish statues in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof and illustrious for their historic renown, for distinguished civic or military services, such as each State may deem to be worthy of national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statuary hall for the purposes herein indicated."

The setting apart of the old Hall of Representatives as a national statuary hall apparently did not result in such immediate action on the part of the President as had been anticipated by Representative Morrill, who had been largely instrumental in the legislative measure resulting in the act of July 2, 1864, and, after waiting for some six months, he brought the matter to the attention of the President through a letter, a copy of which, as well as a copy of the invitations to the 36 States, is herewith presented:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, D. C., January 25, 1865.

DEAR SIR: Permit me, respectfully, to call your attention to section 2 of the act of Congress of July 2, 1864 (p. 347, pamphlet edition), which set apart the old Hall of the House of Representatives for a hall of statuary by which you were "authorized to invite each and all the States to provide and furnish statues in marble or bronze not exceeding two in number for each State of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services, such as each State shall determine to be worthy of this national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives, in the Capitol of the United States, which is hereby set apart, or so much thereof as may be necessary, as a national statuary hall, for the purposes herein indicated."

That you approve of the high purposes of this law I have no doubt, and in view of the fact that several of the State legislatures are now in session but soon may adjourn, may I ask you to take such action at once as you shall deem appropriate in order to notify and give the invitation provided for to the governors of the several States, so that they can take early steps to carry the purpose of Congress into full effect.

With high respect, your most obedient servant,

JUSTIN S. MORRILL.

The PRESIDENT.

DEPARTMENT OF STATE,
Washington, February 3, 1865.

HIS EXCELLENCY GOVERNOR OF THE STATE OF MAINE,
Augusta.

SIR: I have the honor to transmit to your excellency a copy of a letter of the 25th ultimo, addressed to the President by the Hon. Justin S. Morrill, of the House of Representatives, inviting his attention to the second section of the act of Congress of the 2d July, 1864, on the subject of statues for the old Hall of the House of Representatives. The President has directed this department to request, through your excellency, that the State of Maine may take the matter into consideration.

I have the honor to be your excellency's most obedient servant,

F. W. SEWARD, Acting Secretary.

The same to the governors of each of the States, 36 in all.

Notwithstanding the fact that a place had been set apart for the reception of statues from the States, some five years elapsed before any of the States furnished statues in compliance with the invitation of the President. In the year of 1870 the statue of Nathaniel Greene was presented by the State of Rhode Island, and in the year 1872 a second statue, that of Roger Williams, was presented by the same State. The proceedings of the Senate in relation to the acceptance of the statue of Nathaniel Greene are contained in the Congressional Globe for January 20, 1870, and it was in connection with these proceedings of acceptance that Henry Wilson, then a Senator from the State of Massachusetts, raised the question of the sufficiency of the law, and that the action of acceptance on the part of the Congress was unnecessary. His remarks follow:

"I rise simply to say one word. The law as it now stands is complete in itself. I shall not oppose, however, the passage of this resolution, as the matter has been inaugurated, and I hope, as it has been introduced, it will be put in proper form and passed. I repeat, however, the law is complete and requires no legislation whatever, and I trust that hereafter it will be so regarded."

In the years following the setting apart of this space for a national statuary hall the responses of the States to the invitation to send statues for Statuary Hall were not as prompt as might have been expected. It may be that the invitation was such a departure from the existing conditions that the States were waiting to learn whether this

movement would be popular, and it may be that the art of the sculptor was so little known that the use of sculpture for such a national purpose had failed to impress itself upon the legislatures of the States to be represented. This much is certain: After the lapse of 19 years from the time of the erection of the first statue in Statuary Hall but 18 statues were to be found in this hall, and that in the year 1895 there were but 21 statues in position. The display was hardly sufficient to give this large space a proper dignity as a collection of statuary, and in order that the barren, forsaken appearance might not be so noticeable other works of art were exhibited there, such as the statues of Jefferson, Hamilton, Baker, and Lincoln, and the plaster statue of Washington, also the busts of Lincoln, Kosciuszko, Pulaski, and Crawford.

Not only was this hall used for the exhibition of works of sculpture not intended for a permanent place in Statuary Hall, but paintings were also displayed there temporarily. From a guidebook of the Capitol published in 1880 we find that the mosaic portrait of Lincoln, by Salvati; portraits in oil of Joshua R. Giddings, by Miss C. L. Ransom; Gunning Bedford, attributed to Charles Willson Peale; Thomas Jefferson, by Thomas Sully; Charles Carroll, of Carrollton, by Chester Harding; George Washington (the Chestnut portrait), by Gilbert Stuart; and it is also known that at one time the full-length portrait of Washington, now in the west corridor of the gallery floor of the United States Senate, was also exhibited in this room.

In addition to the paintings mentioned there was at this time on exhibition a large fireproof safe described in the guidebook as follows:

"CENTENNIAL SAFE"

"In this hall stands a large fireproof safe filled with records of national interest relative to the close of our first centennial era. The safe is permanently closed and not to be opened until 1976."

The fireproof safe referred to, known as the centennial safe, was furnished through the efforts of Mrs. A. H. Delhm, of New York, who instituted the plan for the purchase of the safe and the contribution of the contents. One of the features of this collection was a large album containing autographs and portraits of prominent people from all sections of the country. The safe was finally closed and locked on February 22, 1879, and is to remain closed until the second centennial of the independence of the United States in 1976. It was removed from the rotunda many years ago and is now stored in one of the entrances to the crypt of the Capitol.

Inquiries are frequently made concerning the manner of procedure when it is desired to have a statue placed in Statuary Hall. It should be remembered that inasmuch as an invitation has been given to all of the States to participate in commemoration of deceased citizens that the proceedings of acceptance of this general invitation must come from the individual States and the preliminary steps are usually the passage of a resolution by the State legislature providing for the erection of a statue in Statuary Hall, to commemorate the life and services of some deceased citizen who should be named in the resolution, and it should also be stated in this resolution that the statue is to be of marble or bronze.

The citizen to be honored should be illustrious for historic renown, or for distinguished civic or military service and the determination of these qualifications are within the right of the individual State to decide.

With the selection of the person to be honored, and the passage of a resolution authorizing the erection of a statue, and providing an appropriation therefor it is usually the custom to provide for the selection or election of a commission to act as the business representatives of the State. This commission attends to such details as the selection of a sculptor and determining the general idea of the statue, the material to be used, and the price to be paid therefor. The commission also arranges with the Architect of the Capitol for the erection of the statue in Statuary Hall, the location having been determined by the commission and the architect. The commission also arranges for the payment of all bills for shipment of the statue and its erection in Statuary Hall.

LEGISLATION CREATING THE NATIONAL STATUARY HALL IN THE CAPITOL
Compiled by H. A. Vale, clerk Joint Committee on the Library

In the House of Representatives on January 6, 1864, Mr. Morrill, of Vermont, submitted the following resolution, which was read, considered, and agreed to, viz (House Journal, 38th Cong., 1st sess., p. 108):

"Resolved, That the Committee on Public Buildings be requested to examine and report as to the expediency of setting apart the old Hall of the House of Representatives as a hall for statuary; and also as to the cost of a new flooring and bronze railing on each side of the passageway through the Hall, preparatory to the reception of such works of arts."

On April 19, 1864, Mr. Rice, of Maine, from the Committee on Public Buildings and Grounds, reported the following joint resolution (38th Cong., 1st sess., H. R. 66):

"Joint resolution setting apart the old Hall of the House of Representatives as a hall of statuary

"Whereas the old Hall of the House of Representatives being now worse than uselessly occupied as a place of storage and traffic, and as it must of necessity remain a thoroughfare between the two wings of the Capitol: Therefore

"Resolved, etc., That the President be, and he is hereby, authorized to invite each and all the States to provide and furnish statues in marble or bronze, not exceeding two in number for each State, of men who have been citizens thereof and illustrious for their historic renown or from distinguished civic or military services, such as each State shall determine to be worthy of this national commemoration; and that they be placed in the old Hall of the House of Representatives in the Capitol of the United States, which is hereby set apart, or so much thereof as may be necessary, as a National Statuary Hall, for the purposes herein indicated, and the same shall be under the care and supervision of the Commissioner of Public Buildings.

"SEC. 2. And be it further enacted, That a marble floor, similar to that of the Congressional Library or the Senate vestibule, shall be constructed in said old Hall of the House of Representatives, using such marble as may be now on hand and not otherwise required, and that suitable structures and railings shall be therein erected for the reception and protection of statuary, and the same shall be under the supervision and direction of the Commissioner of Public Buildings; and so much of the moneys now or hereafter appropriated for the Capitol extension as may be necessary, not exceeding the sum of \$24,000, is hereby set apart and shall be disbursed for the purposes hereinbefore mentioned."

The joint resolution was considered, debated, and passed the House. The proceedings of the House on this occasion are given below (House of Representatives, Apr. 19, 1864. Cong. Globe, 38th Cong., 1st sess., pt. 2, pp. 1736 and 1737):

"Mr. Rice of Maine, by unanimous consent, from the Committee on Public Buildings and Grounds, reported a joint resolution setting apart the old Hall of the House of Representatives as a Hall of Statuary; which was read a first and second time.

"The joint resolution was read. It provides that inasmuch as the old Hall of the House of Representatives is now worse than uselessly occupied, and must remain a thoroughfare between the two wings of the Capitol, that the President be authorized to invite each of the States to provide and furnish statues in marble or bronze, not exceeding two in number each, of men who have been citizens thereof, illustrious in their historical renown or distinguished for their civic or military services, such as each State shall determine are worthy of national remembrance; and that the said Hall be set apart for the reception of such statuary. The resolution also sets apart \$24,000 of the funds which have been, or shall hereafter be, appropriated for the Capitol extension, to be used in fitting up the Hall for that purpose.

"Mr. RICE of Maine. I send a letter to the Clerk's desk, and ask that it may be read.

"The Clerk read the letter, as follows:

"ARCHITECT'S OFFICE, UNITED STATES CAPITOL,

"Washington, D. C., January 13, 1864.

"SIR: I have estimated the cost of taking up the present floor of the old Hall of Representatives, removing the flagstone pavement, laying a new floor, like that of the Congressional Library or of the Senate vestibule, and the putting up of an iron railing 6 feet high to form a passage through the hall, and I find that these improvements will amount to \$24,000.

"The resolution provides for a 'bronze railing.' I suppose, however, that an iron railing, painted in imitation of bronze, is intended, and I have so estimated it. Such a railing, composed of bronze, at the present price of copper, would cost about \$5,000 more than it would if made of iron as suggested.

"Very respectfully, your obedient servant,

"THOMAS U. WALTER,

"Architect United States Capitol Extension, etc.

"Hon. JOHN H. RICE,

"Chairman of Committee on

"Public Buildings and Grounds.

"Mr. HOLMAN. I rise to a question of order. I understand that resolution to make an appropriation, and that it must therefore go to the Committee of the Whole.

"Mr. RICE, of Maine. The resolution makes no appropriation but merely provides how a portion of an appropriation already made shall be used.

"The SPEAKER. The Chair so understands it, and therefore overrules the question of order.

"Mr. MORRILL. Mr. Speaker, as I had the honor to introduce this proposition, I desire to occupy the attention of the House for a moment. The expansion of our country from the old 13 to 36 States imposed upon us the burden as well as the privilege of building and extending a structure for the accommodation of the legislative branches of the Government and appropriate for the Capitol of the foremost

Republic of the world. This work is now approaching completion. Even a war waged by rebels for the destruction of the Government has not retarded its progress for a single day. The old Senate Chamber has been already fittingly devoted to the use of the Supreme Court. The old Hall of the House of Representatives, empty and deserted, remains an unappropriated waste, and, as it now appears—draped in cobwebs and carpeted with dust, tobacco, and apple pomace—a conspicuous nuisance.

"Congress is the guardian of this fine old Hall, surpassing in beauty all the rooms of this vast pile, and should protect it from desecration. Its noble columns from a quarry exhausted and incapable of reproduction—

"Nature formed but one,

And broke the die in molding"—

"its democratic simplicity and grandeur of style; and its wealth of association with many earnest and eloquent chapters in the history of our country deserve perpetuity at the hands of an American Congress. It was here that many of our most distinguished men, whose fame 'the world will not willingly let die,' began or ended their career.

"It appears to me eminently proper, therefore, that this House should take the initiative in setting apart with reverent affection the hall, so charged with precious memories, to some purpose of usefulness and dignity. To what end more useful or grand, and at the same time simple and inexpensive, can we devote it than to ordain that it shall be set apart for the reception of such statuary as each State shall elect to be deserving of this lasting commemoration? Will not all the States with generous emulation proudly respond and thus furnish a new evidence that the Union will clasp and hold forever all its jewels—the glories of the past, civil, military, and judicial—in one hallowed spot where those who will be here to aid in carrying on the Government may daily receive fresh inspirations and new incentives—

"To scorn delights and live laborious days"—

"and where pilgrims from all parts of the Union as well as from foreign lands may come and behold a gallery filled with such American manhood as succeeding generations will delight to honor, and see also the actual form and mold of those who have inerascably fixed their names on the pages of history.

"The suffrages of no State will fail to be honestly and fairly bestowed, for no local shams will be intruded where the judgment of the world is sure to be challenged and where partisanship loses its current value. We may reasonably expect that the State contributions without charge to the National Government will speedily furnish here in the Capitol of the Nation a collection of statuary that will reflect honor upon the illustrious dead, upon the Republic found to be neither ungrateful to its distinguished sons nor unmindful of its obligations; and incidentally, it may be hoped, there will be brought forth worthy monuments to the genius of the artists of the country, who will vie with each other for distinction in the execution of the various works which may be required.

"The extension of the Capitol has added so much space to existing accommodations that the old Hall is not required as a warehouse or for committee rooms, and it is impossible to divide and distribute it, if it were so required, in any manner that will be satisfactory or that will not disclose an awkward, ill-begotten, ill-born, second-handed purpose, while if it shall be left whole and unutilized as it now is, and only decorated, as now proposed, with works of art, it will appear as imposing and perfect as though the idea sprang from the brain of the architect at the foundation of the Capitol.

"The proposition now before us is approved of by the Superintendent of Public Buildings (Mr. French), and also, after thorough scrutiny of all other plans, by the present accomplished Architect of the Capitol extension (Mr. Walter). I have yet to hear the first objection to the proposition. All the work required at present is a new floor and a suitable bronze or iron railing for the passageway. At some future period the gallery may have to be removed, but, as it was an excrescence at the start, or an afterthought, not put up until the Hall had been completed, there will be no obstacle to its removal or its remodeling, as future convenience may require.

"Before the Hall can have a suitable light for statuary a new roof with more light will be necessary; but as the present roof is a wooden one, constructed almost entirely of combustible material, already decaying, a new fireproof roof will doubtless ere long be required, whatever may be done with the Hall. This can, however, be postponed as long as it may be wise or safe to do so and until the proper time, and then the cost will be no greater to have it adapted to the object now proposed than to any other.

"We have a large amount of excellent marble of various descriptions lying about, not required for the completion of the Capitol, and therefore otherwise useless, which can be used for the floor at this time at less expense than it will ever again be possible to obtain it, and, besides, we have the machinery now ready to cut and finish it, provided it shall be so determined.

"I understand also that it has been proposed to remove the high bronze railing now in the library for a small-sized railing, and if so, and it should be found appropriate, as I do not think it will be, that

might be taken to serve as a railing for the central passage proposed through the Hall. Under any circumstances, whether the new materials or those on hand shall be found most available, the expense can not be large, and hardly more than or different from what a prudent proprietor would expend for the mere preservation of the premises.

"While the times demand of us the sternest economy, I know of no object to which so small a sum can be devoted with purer or more exalted motives, and none more likely to be cordially greeted by the patriotic heart of the Nation.

"But it is not proposed to add a dollar to our appropriations. It is merely proposed to set apart a small portion of the funds (\$500,000 recently voted by the House) for the completion of the Capitol, and the whole object will be accomplished. That fund is very large, and I think no one will object to the disposal of so small a portion of it in the manner indicated.

"Mr. RICE of Maine. I did design to make some remarks upon this joint resolution; but as the morning hour is just expired, and as I am desirous of disposing of the matter this evening, I will not take up the time of the House, but demand the previous question on the engrossment of the joint resolution.

"The previous question was seconded, and the main question ordered to be put.

"The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time and passed—ayes 87, noes 20.

"Mr. Rice of Maine moved to reconsider the vote by which the joint resolution was passed, and also moved to lay the motion to reconsider on the table.

"The latter motion was agreed to.

"In the Senate the joint resolution was referred, on April 20, 1864, to the Committee on Public Buildings and Grounds.

"On April 25, 1864, Mr. Foot, of Vermont, 'from the Committee on Public Buildings and Grounds, to whom was referred the joint resolution (H. J. Res. 66) setting apart the old Hall of the House of Representatives as a hall of statuary, reported it without amendment, and that it ought not to pass.' (Journal of the Senate, 38th Cong., 1st sess., p. 366.)

"In the House of Representatives, on June 20, 1864 (Cong. Globe, 38th Cong., 1st sess., pt. 4, pp. 3106-3107), while the sundry civil appropriation bill was under consideration, Mr. Stevens, of Pennsylvania, offered an amendment similar to the joint resolution (H. J. Res. 66) passed by the House, except that the amount was reduced to \$20,000 and the two sections were transposed. This amendment was debated by Mr. Stevens; Mr. Rice, of Maine; Mr. Price, of Iowa; Mr. Mallory, of Kentucky; Mr. Morrill, of Vermont; Mr. Steele, of New York; and Mr. Schenck, of Ohio; was amended to apply only to statues of 'deceased persons,' and as amended was agreed to.

"The provision of the House of Representatives was stricken out when the sundry civil appropriation bill was considered in the Senate. (Cong. Globe, June 24, 1864, 38th Cong., 1st sess., pt. 4, p. 3225.)

"In conference committee the provision of the House of Representatives was restored, with an amendment reducing the amount carried to \$15,000, and in that form became law, as follows (Stat. L., vol. 13, p. 347):

"SEC. 2. And be it further enacted, That a marble floor, similar to that of the Congressional Library or the Senate vestibule, shall be constructed in the old Hall of the House of Representatives, using such marble as may be now on hand and not otherwise required, and that suitable structures and railings shall be therein erected for the reception and protection of statuary, and the same shall be under the supervision and direction of the Commissioner of Public Buildings; and so much of the moneys now or heretofore appropriated for the Capitol extension as may be necessary, not exceeding the sum of \$15,000, is hereby set apart and shall be disbursed for the purposes hereinbefore mentioned. And the President is hereby authorized to invite each and all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or from distinguished civic or military services, such as each State shall determine to be worthy of this national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives, in the Capitol of the United States, which is hereby set apart, or so much thereof as may be necessary, as a national statuary hall for the purposes herein indicated.

"Approved July 2, 1864."

The law for the establishment of a national statuary hall, as it appears in the Revised Statutes of the United States, second edition, 1878, page 321, is as follows:

"SEC. 1814. Suitable structures and railings shall be erected in the old Hall of Representatives for the reception and protection of statuary, and the same shall be under the supervision and direction of the Chief of Engineers in charge of public buildings and grounds. And the President is authorized to invite all the States to provide and furnish statues, in marble or bronze, not exceeding two in number for

each State, of deceased persons who have been citizens thereof, and illustrious for their historic renown or for distinguished civic or military services, such as each State may deem to be worthy of this national commemoration; and when so furnished the same shall be placed in the old Hall of the House of Representatives, in the Capitol of the United States, which is set apart, or so much thereof as may be necessary, as a national statutory hall for the purpose herein indicated."

The following section of the legislative appropriation act of August 15, 1876 (Stat. L. vol. 19, p. 147), transferred to the Architect of the Capitol all the duties relative to the Capitol Building previously performed by the Commissioner of Public Buildings and Grounds:

"That the Architect of the Capitol shall have the care and superintendence of the Capitol, including lighting, and shall submit through the Secretary of the Interior estimates thereof: *And provided further*, That all the duties relative to the Capitol Building heretofore performed

by the Commissioner of Public Buildings and Grounds shall hereafter be performed by the Architect of the Capitol, whose office shall be in the Capitol Building."

The urgent deficiency act of February 14, 1902 (Stat. L. vol. 32, p. 20), in the following provision, changed the designation of the office of Architect of the Capitol to Superintendent of the Capitol Building and Grounds:

"Hereafter the office of Architect of the Capitol shall be designated as Superintendent of the Capitol Building and Grounds, and the Superintendent of the Capitol Building and Grounds shall hereafter exercise all the power and authority heretofore exercised by the Architect of the Capitol, and he shall be appointed by the President: *Provided*, That no change in the architectural features of the Capitol Building or in the landscape features of the Capitol Grounds shall be made except on plans to be approved by Congress."

NATIONAL STATUARY HALL

TABLE No. 1.—Statues presented by the States

State	Statue	Proceedings in the Senate	Proceedings in the House of Representatives	Congressional Globe and Record references
Rhode Island	Nathanael Greene	Jan. 20, 1870	Jan. 31, 1870	Globe, 41st Cong., 2d sess., pt. 1, pp. 593-596, 921-925.
Connecticut	Roger Williams	Jan. 9, 1872	Jan. 11, 1872	Globe, 42d Cong., 2d sess., pt. 1, pp. 313-319, 362-372.
	Jonathan Trumbull	Mar. 8, 1872	Apr. 29, 1872	Globe, 42d Cong., 2d sess., pt. 2, pp. 1526-1529, 2899-2905.
New York	Roger Sherman	do	do	Do.
	George Clinton	do	do	Do.
	Robert R. Livingston	do	do	Do.
Vermont	Ethan Allen	June 10, 1876	May 18, 1876	Record, 44th Cong., 1st sess., vol. 4, pt. 4, pp. 3738-3741, 3178-3183.
Massachusetts	John Winthrop	Dec. 19, 1876	Dec. 19, 1876	Record, 44th Cong., 2d sess., vol. 5, pt. 1, pp. 197, 280-284, 300-303.
	Samuel Adams	do	do	Do.
Maine	William King	Jan. 22, 1878	Jan. 22, 1878	Record, 45th Cong., 2d sess., vol. 7, pt. 1, pp. 455-460, 469-471.
Vermont	Jacob Collamer	Jan. 31, 1881	Feb. 15, 1881	Record, 46th Cong., 3d sess., vol. 11, pt. 2, pp. 1055-1056, 1609-1612.
Pennsylvania	J. P. G. Muhlenberg	Feb. 28, 1889	Feb. 28, 1889	Record, 50th Cong., 2d sess., vol. 20, pt. 3, pp. 2477-2481, 2577.
	Robert Fulton	do	do	Do.
Ohio	James A. Garfield	Jan. 5, 1886	Jan. 19, 1886	Record, 49th Cong., 1st sess., vol. 17, pt. 1, pp. 404-405, 762-767.
	William Allen	do	do	Do.
New Jersey	Philip Kearny	Aug. 21, 1888	Aug. 21, 1888	Record, 50th Cong., 1st sess., vol. 19, pt. 8, pp. 7225, 7325, 7763-7766, 7793-7801.
	Richard Stockton	do	do	Do.
Michigan	Lewis Cass	Feb. 18, 1889	Feb. 28, 1889	Record, 50th Cong., 2d sess., vol. 20, pt. 2, p. 1017; vol. 20, pt. 3, pp. 2001-2010, 2117, 2155, 2481-2483.
Illinois	James Shields	Dec. 6, 1893	Dec. 6, 1893	Record, 53d Cong., 2d sess., vol. 26, pt. 1, pp. 17, 32, 43, 58-61, 78-82.
New Hampshire	John Stark	Dec. 20, 1894	Dec. 20, 1894	Record, 53d Cong., 3d sess., vol. 27, pt. 1, pp. 12, 252, 269, 361, 479-501, 516-531, 535.
	Daniel Webster	do	do	Do.
Wisconsin	James Marquette	Apr. 27, 1896	Jan. 30, 1904	Record, 52d Cong., 1st sess., vol. 23, pt. 2, p. 2015; pt. 3, p. 2970; pt. 4, pp. 3134, 3156.
				52d Cong., 2d sess., vol. 24, pt. 3, p. 2496. 53d Cong., 1st sess., vol. 25, pt. 1, p. 1278; pt. 2, pp. 2382, 2409, 2427; pt. 3, p. 2762. 54th Cong., 1st sess., vol. 28, pt. 5, pp. 4546-4552. 58th Cong., 2d sess., vol. 38, pt. 2, pp. 1421, 1446.
Indiana	Oliver P. Morton	Mar. 24, 1900	Apr. 14, 1900	Record, 56th Cong., 1st sess., vol. 33, pt. 4, pp. 3274-3279; pt. 5, pp. 4189-4204.
Missouri	Francis P. Blair	May 19, 1900	Feb. 4, 1899	Record, 55th Cong., 3d sess., vol. 32, pt. 1, p. 778; pt. 2, pp. 1461-1473. 56th Cong., 1st sess., vol. 33, pt. 7, pp. 5747-5758.
	Thomas H. Benton	do	do	Do.
West Virginia	John E. Kenna	do	do	(Placed in National Statuary Hall, 1901; no action by Senate or House.)
	Francis H. Pierpont	do	do	(Placed in National Statuary Hall, 1903; no action by Senate or House.)
Maryland	Chas. Carroll	Jan. 31, 1903	Jan. 31, 1903	Record, 57th Cong., 2d sess., vol. 36, pt. 1, pp. 409, 467-468; pt. 2, pp. 1422, 1506-1519, 1541-1548.
	John Hanson	do	do	Do.
Illinois	Frances E. Willard	Feb. 17, 1905	Feb. 17, 1905	Record, 58th Cong., 3d sess., vol. 39, pt. 1, pp. 730, 773, 958; pt. 2, p. 1078; pt. 3, pp. 2779-2785, 2801-2809, 2841, 2894.
Kansas	John J. Ingalls	do	Jan. 21, 1905	Record, 58th Cong., 3d sess., vol. 39, pt. 1, pp. 193, 369; pt. 2, pp. 1166-1173, 1179, 1202-1214.
Texas	Sam Houston	do	Feb. 25, 1905	Record, 58th Cong., 2d sess., vol. 38, pt. 5, pp. 4199, 4993. 58th Cong., 3d sess., vol. 39, pt. 2, p. 1156; pt. 4, pp. 3429-3450, 3464.
	Stephen F. Austin	do	do	Do.
Alabama	J. L. M. Curry	Apr. 6, 1908	Feb. 15, 1908	Record, 60th Cong., 1st sess., vol. 42, pt. 1, pp. 461, 468; vol. 42, pt. 3, pp. 2051, 2073, 2117; pt. 5, p. 4396.

TABLE No. 2.—Statues presented by the States

State	Name of statue	Name of sculptor	Cost	Height of pedestal	Height of base	Height of statue	Date of work
Alabama	J. L. M. Curry	Dante Sodini	7,500.00	2 ft. 7 3/4 in.	5 1/2 in.	6 ft. 10 1/4 in.	1906
Connecticut	Roger Sherman	C. B. Ives	37,386.95	2 ft. 11 3/4 in.	5 in.	7 ft. 8 3/4 in.	1872
	Jonathan Trumbull	do	7,386.95	3 ft. 0 in.	4 1/2 in.	7 ft. 5 1/2 in.	1872
Idaho	George L. Shoup	F. E. Triebel	6,000.00	4 ft. 8 3/4 in.	6 in.	7 ft. 0 in.	1909
Illinois	James Shields ¹	L. W. Volk	9,000.00	3 ft. 9 3/4 in.	5 in.	6 ft. 8 1/2 in.	1893
	Frances E. Willard	Helen Farnsworth Mears	9,000.00	3 ft. 8 3/4 in.	5 in.	6 ft. 6 1/2 in.	1905
Indiana	Oliver P. Morton	C. H. Niehaus	5,000.00	3 ft. 9 in.	4 in.	7 ft. 0 1/2 in.	1899
Kansas	John J. Ingalls	do	6,000.00	3 ft. 9 in.	4 1/2 in.	7 ft. 0 1/2 in.	1904
Maine	William King	Franklin Simmons	4,000.00	3 ft. 5 1/2 in.	4 1/2 in.	7 ft. 1 1/2 in.	1877
Maryland	Charles Carroll ¹	R. E. Brooks	12,000.00	3 ft. 4 1/2 in.	4 1/2 in.	7 ft. 0 1/2 in.	1901
	John Hanson ¹	do	12,000.00	3 ft. 4 in.	4 1/2 in.	7 ft. 0 1/2 in.	1901
Massachusetts	Samuel Adams	Annie Whitney	11,712.23	3 ft. 0 in.	3 3/4 in.	7 ft. 3 in.	1873
	John Winthrop	R. S. Greenough	12,712.75	3 ft. 0 1/2 in.	5 1/2 in.	7 ft. 1 1/2 in.	1872
Michigan	Lewis Cass	D. C. French	9,848.13	3 ft. 6 in.	4 1/2 in.	7 ft. 2 1/2 in.	1889
Missouri	Francis P. Blair	Alex. Doyle	6,000.00	3 ft. 6 in.	7 1/2 in.	7 ft. 1 in.	1899
	Thomas H. Benton	do	6,000.00	3 ft. 6 in.	5 1/2 in.	6 ft. 11 3/4 in.	1899
New Hampshire	John Stark	Carl Conrad	4,484.11	3 ft. 4 in.	4 in.	6 ft. 0 1/4 in.	1894
	Daniel Webster ²	do	4,484.11	3 ft. 4 in.	3 3/4 in.	5 ft. 11 3/4 in.	1894
New Jersey	Richard Stockton	H. K. Brown	8,088.20	3 ft. 10 1/2 in.	3 1/2 in.	6 ft. 5 1/2 in.	1886
	Philip Kearny ¹	do	8,088.20	2 ft. 10 1/2 in.	3 1/2 in.	6 ft. 3 1/2 in.	1875
New York	Robert R. Livingston ¹	E. D. Palmer	13,000.00	3 ft. 0 1/2 in.	4 in.	6 ft. 1 in.	1874
	George Clinton ¹	H. K. Brown	12,500.00	3 ft. 11 3/4 in.	3 in.	6 ft. 3 1/2 in.	1873
Ohio	James A. Garfield	C. H. Niehaus	9,500.00	3 ft. 9 3/4 in.	5 1/2 in.	6 ft. 10 1/4 in.	1885
	William Allen	do	9,500.00	3 ft. 9 3/4 in.	5 1/2 in.	6 ft. 11 3/4 in.	1887
Pennsylvania	J. P. G. Muhlenberg	Blanche Nevins	7,500.00	3 ft. 3 1/2 in.	4 in.	6 ft. 2 in.	1881
	Robert Fulton	Howard Roberts	7,500.00	(³)			1881

¹ Bronze statue.² Modeled from original by Thomas Ball.³ Seated figure.

TABLE NO. 2.—Statues presented by the States—Continued

State	Name of statue	Name of sculptor	Cost	Height of pedestal	Height of base	Height of statue	Date of work
				<i>Ft. in.</i>	<i>Inches</i>	<i>Ft. in.</i>	
Rhode Island	Nathanael Greene	H. K. Brown	\$8,566.00	3 1	3 1/4	6 1/2	1869
	Roger Williams	Franklin Simmons	8,566.00	3 11 1/4	4 1/2	6 4	1870
Texas	Stephen F. Austin	Elisabet Ney	4,500.00	3 7	5 1/2	5 8 1/4	1904
	Samuel Houston	do	5,000.00	3 7	5	6 3 1/4	1904
Vermont	Ethan Allen	L. G. Mead	5,300.00	2 4 3/4	4	8 1 1/4	1875
	Jacob Collamer	Preston Powers	6,081.25	2 11	3 1/2	6 6	1879
Virginia	Washington	Jean Antoine Houdon	6,000.00	4 3	5	6 2 1/4	1908
	R. E. Lee	Edward V. Valentine	10,000.00	4 2	4	6 2 1/4	1908
West Virginia	John B. Kenna	Alex. Doyle	5,000.00	3 6	5 1/2	7 1 1/4	1901
	Francis H. Pierpont	Franklin Simmons	8,000.00	3 7	4 1/2	6 11 1/4	1903
Wisconsin	James Marquette	G. Trentanove	8,000.00	3 10 1/2	5	7 1	1895

1 Bronze statue.

* Modeled after original in Richmond, Va.

Accessions to the statues of Statuary Hall subsequent to the compilation by H. A. Vale

State	Name of statue	Name of sculptor
Alabama	Gen. Joe Wheeler	Berthold Nebel
Arkansas	Uriah M. Rose	F. W. Ruckstull
Do	James P. Clarke	Pompeo Coppini
Florida	John Gorrie	C. A. Pillars
Do	Kirby Smith	do
Georgia	Dr. Crawford W. Long	J. Massy Rhind
Indiana	Lew Wallace	Andrew O'Connor
Iowa	James Harlan	Nellie V. Walker
Do	S. J. Kirkwood	Vinnie R. Hoxie
Kansas	George W. Glick	C. H. Niehaus
Michigan	Zachariah Chandler	do
Minnesota	Henry M. Rice	F. E. Triebel
North Carolina	Zebulon B. Vance	Gutzon Borglum
Oklahoma	Sequoyah	Vinnie R. Hoxie
South Carolina	John C. Calhoun	F. W. Ruckstull

BUREAU OF CUSTOMS AND BUREAU OF PROHIBITION

Mr. SMOOT. Mr. President, I ask unanimous consent that a night session of the Senate be held on Monday next, beginning at 7.30 o'clock p. m., for the consideration of House bill 10729, to create a bureau of customs and a bureau of prohibition in the Department of the Treasury.

The VICE PRESIDENT. Is there objection?

Mr. McKELLAR. We could not hear the request of the Senator over here.

Mr. SMOOT. I requested that a night session of the Senate be held next Monday for the consideration of House bill 10729, to create a bureau of customs and a bureau of prohibition in the Department of the Treasury.

Mr. EDWARDS. I object.

The VICE PRESIDENT. Objection is made. Morning business is closed.

THE WORLD COURT

Mr. TRAMMELL. Mr. President, I have a motion coming over under the rule which I desire to have considered at this time.

The VICE PRESIDENT. The Chair lays before the Senate the motion of the Senator from Florida, which will be stated.

The CHIEF CLERK. The Senator from Florida has entered a motion to discharge the Committee on Foreign Relations from the further consideration of the resolution (S. Res. 282) rescinding the resolution authorizing the entry of the United States into the so-called World Court.

Mr. BORAH. Mr. President, I desire to state on behalf of the committee that the matter has been before the committee for its consideration and it is the view of the committee and of myself, speaking as its chairman, that nothing can be gained by bringing the matter to the floor of the Senate at this time, either by a report or otherwise.

It would seem, from the information which we have, that the matter is working itself out to a final conclusion. According to the press dispatches the matter is still subject to correspondence between the governments and the indication seems to be that the Governments will not accept the reservations which were placed upon the protocol by the Senate. Of course if that be true that would be the end of the matter.

To bring the matter here at this time, therefore, would be to bring about a discussion of a subject which it would be very difficult to discuss intelligently or effectively, not knowing the real status of the situation. I am of the opinion, therefore, that we should not report the resolution and neither should we take it up for consideration at this time.

Mr. WATSON. Mr. President, will the Senator permit a question?

Mr. BORAH. Certainly.

Mr. WATSON. The morning press carried a report in regard to the attitude of Great Britain on the question. Does the Senator know whether or not that is reliable and authentic, and just how far it goes?

Mr. BORAH. No; I am not authorized to state the exact situation. Indeed, I do not know that there is any exact situation. But the indications are quite persuasive that the report is accurate and that Great Britain will not accept the reservation. This will terminate the whole question, I am glad to say.

Mr. WATSON. Up to the present time has any nation squarely and unequivocally refused to accept our reservations?

Mr. BORAH. Not that I know of.

Mr. ROBINSON of Arkansas. Mr. President, I concur in the suggestion just made by the chairman of the Foreign Relations Committee. It would serve no useful purpose to revive now a discussion of the question as to whether or not the United States shall enter the Permanent Court of International Justice. The inevitable result of the motion of the Senator from Florida [Mr. TRAMMELL], should it prevail, would be to bring that subject back before the Senate to the exclusion of many matters involving legislation of imperative importance. I shall oppose the resolution, and unless the Senator from Florida, in view of the conditions which exist, sees fit to withdraw his motion I shall feel constrained to test the sense of the Senate by a motion to lay on the table the motion of the Senator from Florida.

Mr. TRAMMELL. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield.

Mr. TRAMMELL. The Senator does not propose to make that motion before I have an opportunity to say anything, does he?

Mr. ROBINSON of Arkansas. No; I yield to the Senator from Florida.

Mr. BLEASE. Mr. President, will the Senator from Florida permit me to ask a question of the Senator from Idaho?

Mr. TRAMMELL. The Senator from Arkansas has the floor and has yielded to me.

Mr. ROBINSON of Arkansas. I yield to the Senator from South Carolina to enable him to ask a question of the Senator from Idaho.

Mr. BLEASE. I would like to ask the Senator from Idaho, if something along this line is not done, whether we are not in the position that if foreign governments do accept the reservations we will be taken into the World Court?

Mr. BORAH. Of course, if they accept the reservations, I presume the matter would be closed and we would be a member of the court; but every indication now is to the effect that they are not going to accept the reservations.

Mr. BLEASE. Of course, I have great respect for the judgment of the Senator from Idaho, and would be governed by his opinion in this matter. I think there has been a great change of opinion since the Senate voted on the proposition, especially among the American people, and if there is any danger of us going into the thing, I think the Senator from Florida is eminently correct in desiring to have us go on record now against it.

Mr. BORAH. May I say to the Senator from South Carolina that it would be impossible under the circumstances to dispose of the matter upon the floor of the Senate at this session. It would be simply taking up time which we ought to devote to other matters without arriving at any final conclusion upon the matter. There would not be, in my judgment, any chance to get a vote. Those of us who feel that we ought not to become a member of the court are rather well satisfied with the movement now in progress.

Mr. TRAMMELL. Mr. President, taking advantage of the courtesy of the Senator from Arkansas in yielding to me, I

desire to make just a brief statement. I have made this motion with no intention whatever of reflecting upon the committee. I am sure that it has been the purpose and intention of the committee to give the resolution such consideration as the membership of the committee deemed advisable. I am very glad to hear, through the chairman of the committee, that all the indications are that the different nations to which the proposal has been submitted will not accept the reservations which were attached to the resolution of ratification at the time of its adoption by the Senate a little over a year ago.

I have felt, however, in view of the fact that Congress would adjourn on March 4 and would not be in session again until December, 1927, that the Senate should now take some definite action on the matter. Of course, I realize that there are influences which are trying to induce the other powers to accept the resolution as it was adopted by the Senate. I do not much believe, however, that they will be successful, but I believe in safety first, and a safe course from my viewpoint is to withdraw the resolution of ratification. If a majority of the Senate do not favor the resolution, why should it not be withdrawn? Why should we not express ourselves upon that subject?

I realize there is some merit in the contention made that probably we might not dispose of it at this session. But that argument may be made against a great many important matters which are pending before the Senate or which come up for the consideration of the Senate. Also the course may be taken of shutting off even 30 or 40 minutes' debate, as is proposed in this instance by the Senator from Arkansas, by making the motion to lay my motion upon the table. I rather think that that is taking a little undue advantage of the situation. I will say that frankly to the Senator from Arkansas. There are other Senators who desire to express themselves upon the motion briefly, and I hope he will not make his motion until we have had at least a short while in which to discuss the question. Other Senators who desire to say something in regard to my motion should have an opportunity to express themselves. I shall not attempt to enter into a discussion of the merits of the withdrawal of the World Court resolution. This is not the time for that discussion. But I had hoped that the matter might come before the Senate and we would have a reasonable opportunity to discuss the merits of my resolution which provides for the rescinding of the so-called World Court resolution adopted by the Senate.

Mr. ROBINSON of Arkansas. Mr. President, in reply to what the Senator from Florida has just stated, I am morally sure that no wholesome good can be accomplished by proceeding to the consideration of his resolution. It would throw the business of the Senate into a state of confusion which would make necessary either the withdrawal of the resolution or the exclusion of other business necessarily to be acted upon by the Senate. In that view of the matter I am of the opinion that there is nothing unfair or oppressive in the motion I am about to make. I move that the motion of the Senator from Florida be laid upon the table.

The VICE PRESIDENT. The question is on the motion of the Senator from Arkansas to lay on the table the motion of the Senator from Florida.

Mr. TRAMMELL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. DU PONT]. In his absence, I withhold my vote.

The roll call was concluded.

Mr. NEELY. On this question I have a pair with the junior Senator from Connecticut [Mr. BINGHAM]. I therefore withhold my vote.

Mr. McMASTER. I desire to announce that the senior Senator from South Dakota [Mr. NORBECK] is unavoidably detained from the Chamber. He is confined in the hospital on account of an automobile accident.

Mr. WATSON (after having voted in the negative). I have a pair with the senior Senator from Virginia [Mr. SWANSON]. I am told that if he were present he would vote "yea." Not being able to obtain a transfer of my pair with him, I withdraw my vote.

Mr. HARRELD (after having voted in the negative). My pair, the Senator from North Carolina [Mr. SIMMONS], is absent. I therefore withdraw my vote.

Mr. OVERMAN. Mr. President, I understand the Senator from Oklahoma has announced that he has a pair with my colleague [Mr. SIMMONS].

Mr. HARRELD. I had voted "nay," but I withdraw my vote, because I have learned if the Senator's colleague were present he would vote "yea."

Mr. OVERMAN. If my colleague were present, he would vote "yea."

Mr. ROBINSON of Arkansas. The Senator from Missouri [Mr. REED] is necessarily detained from the Senate.

Mr. SHEPPARD. The junior Senator from Texas [Mr. MAYFIELD] is unavoidably detained from the Senate owing to illness.

Mr. GERRY. I desire to announce that the senior Senator from Georgia [Mr. HARRIS] is necessarily detained at the Department of Agriculture on official business. If present, he would vote "yea."

The result was announced—yeas 59, nays 10, as follows:

YEAS—59

Ashurst	Ferris	Lenroot	Sackett
Bayard	Fess	McKellar	Schall
Borah	George	McMaster	Sheppard
Bratton	Gerry	McNary	Smith
Broussard	Glass	Metcalf	Smoot
Bruce	Goff	Moses	Steck
Cameron	Gould	Oddie	Stephens
Capper	Greene	Overman	Stewart
Caraway	Harrison	Pepper	Tyson
Copeland	Hawes	Philpotts	Wadsworth
Curtis	Howell	Pine	Walsh, Mass.
Deneen	Jones, Wash.	Pittman	Walsh, Mont.
Dill	Kendrick	Ransdell	Warren
Edwards	Keyes	Reed, Pa.	Willis
Ernst	King	Robinson, Ark.	

NAYS—10

Blease	Johnson	Nye	Trammell
Frazier	La Follette	Robinson, Ind.	
Heflin	Norris	Shipstead	

NOT VOTING—26

Bingham	Gooding	Means	Swanson
Couzens	Hale	Neely	Underwood
Dale	Harreld	Norbeck	Watson
du Pont	Harris	Reed, Mo.	Weller
Edge	Jones, N. Mex.	Shortridge	Wheeler
Fletcher	McLean	Simmons	
Gillett	Mayfield	Stanfield	

So Mr. TRAMMELL's motion was laid on the table.

Mr. NORRIS. Mr. President, I voted against laying the motion of the Senator from Florida [Mr. TRAMMELL] on the table, although I was opposed to the motion of the Senator from Florida to discharge the committee, and would have voted against it had it reached a vote. It seemed to me that the motion to lay on the table was premature. While I did not care to debate the motion myself, I understand there were some Senators who desired to do so. If they had been permitted to express their views and there was any indication of a delay or of a drawing out of the debate, I would then have favored the motion to lay on the table, but it seems to me that we ought not to resort to that method unless it is apparent that some Senators are trying to filibuster or delay the Senate.

Mr. TRAMMELL. Mr. President, following the vote on my motion, I ask unanimous consent to have the resolution which I sought to have withdrawn from the committee printed in the RECORD. I also desire to have printed in the RECORD a letter which I addressed to each member of the committee on January 6 of this year, asking for the consideration of the resolution.

There has been no "snap judgment" on this proposition. I introduced the resolution on December 7 last, immediately following the convening of Congress. It has been pigeonholed in the committee, however, and held there; and so I made the motion to discharge the committee. At this particular time the argument against this proposition because it would take some part of the time of the Congress does not come with very good grace from members of the committee and others after the resolution has been held for two months in the committee, although I have repeatedly sought to have it reported back to the Senate. I desire that the resolution and the letter to which I have referred may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The resolution and letter are as follows:

[S. Res. 282, 69th Cong., 2d sess.]

IN THE SENATE OF THE UNITED STATES.

December 7, 1926, Mr. TRAMMELL submitted the following resolution, which was ordered to lie over under the rule.

December 9, 1926, referred to the Committee on Foreign Relations.

Whereas on January 16 (calendar day, January 27), 1926, the Senate adopted Senate Resolution 5, providing that the Senate advise and consent to the adherence on the part of the United States to the Permanent Court of International Justice; and

Whereas it was expressly provided in said resolution that the signature of the United States to the said protocol of December 16, 1920, and the adjointed statute for the Permanent Court of International Justice should not be affixed until the powers signatory to such protocol shall have indicated, through an exchange of notes, their acceptance of the reservations and understandings set forth as part of and a condition of adherence by the United States to the said protocol; and

Whereas a very large majority of the powers signatory to such protocol have not indicated their acceptance of the said reservations and understandings; and

Whereas it is now deemed advisable to rescind the said resolution 5: Therefore be it

Resolved, That Senate Resolution 5 be, and the same is hereby, rescinded and revoked, and the President and the Secretary of State be, and are hereby, requested and directed to withdraw all notes and communications addressed to the powers signatory to the said protocol of December 16, 1920, and the adjoined statute for the Permanent Court of International Justice referred to in the said Senate Resolution 5.

WASHINGTON, D. C., January 6, 1927.

HON. WILLIAM E. BORAH,

*Chairman Senate Committee on Foreign Relations,
United States Senate.*

MY DEAR SENATOR: On December 9, 1926, Senate Resolution 282, which provides for the rescinding of the so-called World Court resolution, a copy of which is attached, was referred to the Committee on Foreign Relations. I am anxious to have action on this resolution at an early date, and respectfully ask that you call the same up for early consideration by your committee.

Very respectfully,

This letter was mailed to each member of the Foreign Relations Committee.

Mr. BORAH. Mr. President, if the Senator from Florida had been as zealous at the time the fight was being made against the World Court as he now is and had known as much about the subject as he seems to know now, he would have been far more effective in keeping us out of the court than he can be now under the program which he has helped to inaugurate. The fact of the business is that those who are opposed to entering the court feel that the present program ought to be permitted to work itself out. The question is being settled conclusively, in my judgment.

The resolution has not been pigeonholed in the committee. The committee has simply exercised common sense in regard to a very important question.

Mr. TRAMMELL. Mr. President, I am sorry to see that the zeal of the Senator from Idaho, the chairman of the committee, has been so much on the wane since the original World Court resolution was considered. He intimates a lack of zeal on my part, but it looks now as if he is willing to leave the proposition open and have the other nations accept something which he originally opposed. His course would be to leave the matter open for them to accept it.

Mr. BORAH. If the Senator from Florida was at all informed as to the facts, he would not be so distressed over the situation. He is dealing with a matter about which he seems to have not informed himself.

Mr. TRAMMELL. That is merely the opinion of the Senator from Idaho. Of course, I know he arrogates to himself all wisdom and that he possesses all knowledge in regard to this proposition, as well as many others. I am not going to make an indictment of knowledge against myself and then admit the indictment. He makes one against himself and admits it.

Mr. BORAH. I am simply stating the facts as they are and well within the knowledge of those who desire to secure them.

Mr. ROBINSON of Arkansas. Mr. President, there is neither occasion nor justification for any resentment or offensive statement from any source, intelligent or unintelligent, respecting the action which the Senate has just taken. The vote of the Senate on the motion to lay on the table indicates the futility, at this time at least, of the proposal of the Senator from Florida. Senators must learn that there is no impropriety or injustice in an action of a member of the Foreign Relations Committee who declines to participate in reporting this resolution on the belief that there is no occasion for its consideration in the Senate, and such action is not subject to censure or condemnation.

The Senate, by a well-nigh unanimous vote, has sustained the attitude taken by the chairman of the Foreign Relations Committee and by myself and by other members of the Committee on Foreign Relations; and I might add that this debate in which I am participating after the subject matter of the debate has been determined in a parliamentary manner is an illustration of the waste of time contemplated in the motion of the Senator from Florida.

Mr. DILL obtained the floor.

Mr. TRAMMELL. Mr. President, the matter of wasting time should not cause any heartaches around the Senate.

Mr. ROBINSON of Arkansas. Mr. President, a point of order. Mr. TRAMMELL. Hour after hour and day after day are frittered away here in the Senate.

Mr. ROBINSON of Arkansas. A parliamentary inquiry: What is the subject matter before the Senate?

The VICE PRESIDENT. The Chair recognized the Senator from Washington, who has the floor.

REGULATION OF RADIO COMMUNICATIONS

Mr. DILL. Mr. President, I understand that the morning business is closed.

The VICE PRESIDENT. The morning business is closed.

Mr. DILL. I ask that the radio conference report, which was under consideration last night, with an appeal pending from the ruling of the Chair on a point of order, be laid before the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Chair lays the conference report before the Senate.

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 9971) for the regulation of radio communications, and for other purposes.

The VICE PRESIDENT. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. DILL obtained the floor.

Mr. PITTMAN. Mr. President—

The VICE PRESIDENT. The Senator from Washington has the floor.

Mr. WATSON. Mr. President—

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Indiana?

Mr. DILL. I thought I ought to make a short statement as to the situation.

Mr. WATSON. I intended to move to lay the appeal on the table.

Mr. PITTMAN. Mr. President, I have been trying to get the floor on this matter.

Mr. DILL. I do not want to cut off discussion. I just want to say a word, and then I will yield the floor.

The reason why I asked to have the conference report taken up and the appeal from the decision of the Chair voted on is that if the Chair should be overruled, of course, the conference report would go back to the conferees. That is why I wanted it taken up at this time.

I now yield the floor.

Mr. PITTMAN. Mr. President, I am not going to argue this matter any further; but I do want the Senate to understand the grounds of the point of order and the ground of the ruling of the Chair from which I respectfully appeal. I consider this ruling of such vast importance, and the precedent that would be established in this matter so far reaching, that I desire to state the matter to the Senate.

The Senator from Nebraska [Mr. HOWELL] made a point of order against the conference report on the radio bill under section 2 of Rule XXVII on the ground that the conference committee had stricken from the bill matter agreed upon by both Houses. The rule under which the point of order was made reads as follows:

Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. If new matter is inserted in the report, or if matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report, and if the point of order is sustained, the report shall be recommitted to the committee of conference.

I will now read the provision of the bill that was stricken out by the conference committee.

When the House bill came over to the Senate it contained this provision. It is found in the first section and is article (d) on page 3. In giving the authority of the Secretary of Commerce, it says:

(d) Determine the location of classes of stations or individual stations (with due consideration of the right of each State to have allocated to it, or to some person, firm, company, or corporation within it, the use of a wave length for at least one broadcasting station located or to be located in such State, whenever application may be made therefor) and the kind of apparatus to be used, with respect to its external effects.

When the bill passed the Senate it contained this provision, found on page 37 of the combined bills, and also known as article (d). It reads:

(d) Determine the location of classes of stations or individual stations (with due consideration of the right of each State to have

allocated to it, or to some person, firm, company, or corporation within it, the use of a wave length for at least one broadcasting station located or to be located in such State, whenever application may be made therefor) and the kind of apparatus to be used, with respect to its external effects.

Now, let me call attention to the fact that that article (d) came over as a part of the House bill, and that that article (d) in exactly the same language and under the same subtitle was adopted by the Senate in the Senate bill.

The rule says:

Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses.

I ask the simple question of any Senator here if article (d) is not matter agreed to by both Houses?

Mr. DILL. Mr. President, I think the Senator ought also to call attention to the fact that subsection (d) in the House bill is a subsection under the powers of the Secretary of Commerce, and subsection (d) in the Senate bill is a subsection under the powers of the commission. Therefore they are different bills in that respect, one of them giving the power to the Secretary and the other giving it to the commission, while the new bill of the conference report divides the powers between the Secretary and the commission.

Mr. PITTMAN. Mr. President, there may be some difference as to who shall see that the States get this right, but the right is exactly the same in both bills. Neither article says who shall guarantee this right, and it is not material to the States whether that right is guaranteed to them by the Secretary of Commerce or by the commission or by somebody else. The proposition that concerned the House of Representatives when it passed that article, and the proposition that concerned the Senate of the United States when it passed that article, was that each State should be guaranteed by the licensing authority, no matter what authority it was, at least one wave length for the establishment of at least one broadcasting plant in that State.

If this rule means anything, it means that they could not strike out of both bills article (d). Can you conceive of its meaning anything if it does not mean that? This rule was amended in 1918. The Senator from North Carolina [Mr. OVERMAN] took part in that debate. The late Senator from New Hampshire [Mr. Gallinger] took part in that debate. The Senator from Kansas [Mr. CURTIS], now the majority leader on the other side, rose on the floor and stated that he himself had prepared that amendment to the rules, and that his purpose in preparing it was to prevent legislation in the future by conferees. I can not understand what the rule means if it does not mean that.

Can there be any agreement between two Houses on legislation any plainer than the adoption of the same paragraph in both bills? If the adoption of the same paragraph in exactly the same language in both bills is not an agreement as to that paragraph, what does constitute an agreement?

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator the paragraph to which he is referring? I have two or three different drafts of the bill and am unable to identify it.

Mr. PITTMAN. I will indicate it to the Senator.

Mr. FLETCHER. Mr. President, may I ask the Senator a question? The Senator from Washington [Mr. DILL] suggested that there has been a division of this power, and indicated that the same right is preserved in the conference report, although the authority for putting into effect that right has been divided. The question in my mind is, Has this right of each State to one broadcasting station been preserved in the conference report?

Mr. PITTMAN. That is the only question; and it has not been preserved in the conference report. This is the only guaranty in either bill that each State shall have at least one broadcasting length allocated to it. The statement of the Senator the other day showed that they deliberately did away with the right of the State. There is no question about that.

Mr. SMITH. I would like to ask the Senator a question. If the specific language in both bills conveys the same right, under the rule have the conferees the power to change the language and leave it to be inferred as to whether the language in the two bills means the same thing? It seems to me the language of the rule is so explicit that the conferees have no right to change the verbiage, where verbiage is agreed to by both Houses.

Mr. PITTMAN. They have stricken out of both bills paragraph (d), and the rule provides "nor shall they strike from the bill matter agreed to by both Houses."

I would like to ask the Senator from Kansas—

Mr. CURTIS. Mr. President, I had intended to discuss the rule for a few moments.

Mr. PITTMAN. If the Senator intends to discuss the rule, I will not ask him the question now.

Mr. CURTIS. I will answer the question now, if the Senator desires.

Mr. PITTMAN. I would like to have the Senator answer it right now. I wish the Senator would state whether, in his opinion, the striking out of paragraph (d) in the bill which comes before us, language which appeared in both the Senate and the House bills, is a violation of the rule.

Mr. CURTIS. Mr. President, that was the question I intended to discuss. I can not answer it in just one sentence. If the Senator wants to yield to me to make a few remarks on the question, I shall be very glad to do so now, or I will wait until later.

Mr. PITTMAN. As the Senator pleases.

Mr. CURTIS. Just as the Senator from Nevada pleases.

Mr. PITTMAN. I would like to have the Senator discuss it now.

Mr. CURTIS. Mr. President, when the ruling was made last night, I was of the opinion that the Chair was wrong. I proposed the original amendment to the rule and it was referred to the committee, and after a long conference with the Senator from North Carolina [Mr. OVERMAN] and the Senator from New Hampshire, Mr. Gallinger, we agreed upon the substitute, and the object was, as stated very plainly in the rule, to prevent conferees from legislating.

Last night I sent for the bills involved in this discussion and have gone over them very carefully, as well as the authorities, and, in my judgment, the Chair was right in his ruling, for the reasons which I shall state.

The bill which passed the House provided what the Secretary of Commerce should do under certain circumstances. The bill which passed the Senate provided what the commission should do under certain circumstances. Instead of the language that was stricken out being in conference and being the controverted question, the question in conference was as to the power of the Secretary of Commerce or the power of the commission—that is, the power that was intended to be conferred.

We have a decision of Vice President Marshall on this question, which seems to me to settle the matter. On February 27, 1919, the Senate proceeded to consider the conference report on House bill 13274, to provide for relief where formal contracts have not been made in the manner required by law. I read the following from Gilfry's Precedents:

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. McKELLAR. Mr. President, I make the point of order against the conference report, because it does not include matter that was passed by the House and which substantially in the same form was passed by the Senate. The matter to which I refer was left out of the conference report. I call the attention of the Chair first to Rule XXVII, which provides:

"Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses."

I call the attention of the Chair to the wording of the rule, which says that the conferees shall not "strike from the bill matter agreed to by both Houses."

I read from page 3 of the bill as passed by the House:

"And provided further, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House, for the information of Congress, and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document 10 days before confirmation and payment is authorized upon such contracts."

On page 14 of the bill which passed the Senate on that subject is found the following:

"And provided further, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House, for the information of Congress, and printed in the CONGRESSIONAL RECORD"—

I call the attention of the Chair to the fact that up to that point both bills are the same—

"or as a public document within 10 days after such confirmation."

Mr. President, the gist of my contention is that matter has been left out which was agreed upon by both Houses, and under the terms of the rule that makes the report subject to a point of order. I refer to the provision that the names of the contractors and the amounts of such partial or final settlements should be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD. It is true that in the Senate a slight change was made in the remainder of that clause; that is, reference to the Official Bulletin was left out, and instead of the publication being required before confirmation it was required under the Senate bill to be made

10 days after confirmation; in other words, there is a difference as to time and as to publication in the Official Bulletin; but it was agreed by both Houses that there should be a publication of these data. This provision ought not to have been left out of the conference report, in my judgment, and I make the point of order that the conference report should be recommitted under the terms of the Rule XXVII, found on page 35 of the rules.

The VICE PRESIDENT (Mr. Marshall). Let the Chair rule first, and then any Senator can take an appeal from the ruling of the Chair, or the Senator from Utah can express his opinion on the ruling of the Chair.

The Chair has heretofore gone to great lengths in sustaining the rule of the Senate with reference to the insertion of new matter and the omission of matter agreed to by the two Houses. In an early opinion, after this rule was adopted, the point of order was sustained where there was a section in the original bill of the House and a section in the original bill of the Senate which were identically the same. That ruling went further than the precedents of the House of Representatives have been, from the days of Speaker Colfax down. Those rulings are uniformly to the effect that where the House passes a bill and the Senate strikes out all after the enacting clause and passes another bill, when it goes to conference the matter is practically in the hands of the conferees to report such a bill, germane to the subject of the conference, as the conferees may think proper, and then it is for the two Houses to say whether or not they will adopt the conference report. As heretofore stated, however, the Chair, being extremely desirous of sustaining this rule of the Senate, did sustain a point of order under circumstances of a bill enacted by the House, all after the enacting clause stricken out, and a new bill inserted in the Senate, where in both bills there was a section identical in language.

Now, let us see where we are.

This is a proviso contained in each bill. It is not identical in the two bills—

Mr. PITTMAN. Not identical in the two bills.

Mr. CURTIS. He means that beyond a certain point it is not identical.

Mr. ROBINSON of Arkansas. Mr. President, if the Senator will permit me, the distinction between the two cases, which the Senator has cited, is simply this: The decision which he is citing in support of the Chair's ruling rests at last upon the proposition that the two provisions are not identical. An examination of the two provisions discloses how clearly that is true. Down to a certain point in a sentence the language is the same, but after that in the same sentence the language is changed.

I do not think a precedent of that nature, a precedent in which the language is admittedly different, can constitute a precedent in this case.

Mr. CURTIS. If the Senator will kindly let me finish—

Mr. ROBINSON of Arkansas. I will refrain for the present.

Mr. CURTIS. The latter part of this ruling is what I want to stress.

This is a proviso contained in each bill. It is not identical in the two bills at all, beyond the fact that each required the names of the contractors and the amounts of partial or final settlements to be filed with the House for the information of Congress. There it ends, so far as the terms are identical in the two bills. After that, in the House bill it is to be printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document 10 days before confirmation and payment is authorized upon such contract. The Chair is inclined to think that the important thing in the bill was the requirement that it be printed somewhere 10 days before confirmation and payment. In the Senate bill it is to be printed in the CONGRESSIONAL RECORD or as a public document within 10 days after such confirmation.

The Chair thinks there was just about 20 days in controversy before the conferees, and that they had a right to strike the proviso out. The Chair overrules the point of order. If Senators desire either provision retained, they can vote to reject the conference report for that reason. (CONGRESSIONAL RECORD, pp. 4412, 4413.)

The Chair clearly held that where the language was identical except as to the days the point at issue was the number of days the publication should be made. The point I make in this case is that the question at issue is that in the bill which passed the House the power was given to the Secretary of Commerce and not to a commission, and in the bill which passed the Senate the power was given to the commission and not to the Secretary of Commerce, and I think the Chair was right in his ruling.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

Mr. CURTIS. Certainly.

Mr. OVERMAN. I see this provision in both bills:

Determine the location of classes of stations or individual stations with due consideration of the right of each State.

Is that in the conference report?

Mr. CURTIS. It is not, but under one bill, as I stated a moment ago, it is for the Secretary of Commerce to determine, and under the other it is for the commission to determine. In the report is a provision that was intended to cover it. Section 9 reads:

In considering applications for licenses and renewals of licenses, when and in so far as there is a demand for the same, the licensing authority shall make such a distribution of licenses, bands of frequency or wave lengths, periods of time for operation, and of power among the different States and communities as to give fair, efficient, and equitable radio service to each of the same.

Mr. OVERMAN. That makes it discretionary.

Mr. CURTIS. It says upon application.

Mr. OVERMAN. It is discretionary with the commission. The House and the Senate provided that each State should have a wave length and that each State should be allocated its rights. The conferees are attempting to do the very thing which the Senator and I determined should not be done, if we could get the Senate to adopt a rule to prevent conference committees from doing away with what the two Houses had done or putting something in which the two Houses had not inserted.

Mr. CURTIS. Mr. President, if the provision in the bill which passed the Senate had been in the same language as that found in the bill which passed the House as to the duties of the Secretary of Commerce, I should say the Senator would be right, but I believe that in this case the object is to determine what shall be done by the Secretary of Commerce in the one case and what shall be done by the commission in the other case.

Mr. OVERMAN. We are giving the power to a commission to legislate upon this matter, rather than to the House and to the Senate, to determine whether in their opinion my State shall have certain rights.

Mr. CURTIS. I do not agree with the Senator.

Mr. OVERMAN. The House and the Senate provided that each State should have certain rights, and the Senator now says that discretionary power is to be given to another body. Is not that legislation?

Mr. CURTIS. That was the question at issue, and they agreed upon the language found in their report as a substitute for the language in the two bills.

Mr. OVERMAN. They are attempting to strike out what both the House and the Senate provided—that each State should have certain rights.

Mr. WATSON. Is not the Senator discussing the merits of the proposition rather than the parliamentary situation?

Mr. NORRIS. Mr. President, will the Senator from Nevada permit me to ask the Senator from Kansas a question?

Mr. PITTMAN. I yield.

Mr. NORRIS. I want to ask the Senator if it is not true that the only thing in dispute between the two Houses that was left to conference in this disputed language was as to whether the power should be administered by a commission or whether it should be administered by the Secretary of Commerce.

Mr. CURTIS. I think so.

Mr. NORRIS. If that be true, that was the only thing of which the conference committee had any jurisdiction.

Mr. CURTIS. One of the bills provided that the Department of Commerce should do certain things, and the other bill that a commission should do certain things. Therefore, when the matter went to conference the question as to what either or both should do would be in conference.

Mr. NORRIS. I think the Senator is in error in this. What should be done was not in dispute between the House and the Senate. As to whether the Secretary of Commerce should do it or the commission should do it was in dispute and was properly submitted to the conferees. But one of the main things was that each State had the right to one of those stations. Both Houses agreed to that. One said it should be administered by the Secretary of Commerce and the other said it should be administered by a commission. The conferees had a right to decide as between those two methods, but they had no right, it seems to me, to take out of the bill a material proposition, which was that every State had the right to one station. Under the bill as reported by the conferees it is admitted that they do not have that right.

Mr. PITTMAN. The change the conferees made with regard to who should administer it does not make it unadministerable at all.

Mr. NORRIS. Certainly not.

Mr. DILL. I want to call attention to the fact that the powers given the commission and the powers given the Secretary of Commerce are not identical. It just happens that the part picked out by the Senator from Nevada is identical, but the general powers are different. The Senate added certain powers which the House did not give.

Mr. ROBINSON of Arkansas. Will the Senator from Nevada yield to me?

Mr. PITTMAN. I yield.

Mr. ROBINSON of Arkansas. Mr. President, I am anxious to see the legislation disposed of, but I think it is important that we should determine what is the correct rule in such cases as that now before the Senate. Some Senators present will recall that when the rule was first adopted or shortly after its adoption I took the position that when the Senate, for instance, by a single amendment in the nature of a substitute, struck out all after the enacting clause in a House bill and inserted new language, notwithstanding the fact that there may have been provisions alike in the House bill and in the Senate bill, the conferees acquired jurisdiction of the whole subject matter. That was debated here at great length and the Senate, in the precedent referred to by the Vice President and quoted by the Senator from Kansas, held that if any matter in the House bill was identical with any matter in the Senate bill, the conferees did not have power to strike it out.

I have not had an opportunity to look up the precedents, but I recall from memory that time and again that decision has been reached. In every case where a provision in the Senate bill was identical with a provision in the House bill, it has uniformly been held that the conferees could not eliminate that provision unless the precedent cited by the Senator from Kansas constitutes a fair precedent to that effect.

Now, Mr. President, I agree with the Senator from Nebraska [Mr. NORRIS] that paragraph (d), which was in both bills, is a substantial provision, in identical language in both bills, and for that reason the conferees exceeded their authority when they struck it out of the conference report. The subject matter, which was in disagreement as to that paragraph, was not what shall be done, but by whom it shall be done. It was entirely competent for the conferees to say that either the Secretary of Commerce or the commission, or, instead of either of them, some other authority, might apply paragraph (d), but paragraph (d) being in both bills, it could not be eliminated.

The whole section hinges on the construction to be placed on Rule XXVII and particularly the words "matter agreed to by both Houses." That does not say "section" or "clause" or "paragraph." It becomes necessary to determine what is meant by the words "matter agreed to by both Houses." Certainly the Vice President was right in the case cited by the Senator from Kansas, where the two provisions were dissimilar and noticeably dissimilar, because they did not constitute matter agreed to by both Houses, and therefore did not bring the subject within the rule which was invoked.

Mr. CURTIS. They were identical down to the words—

or as a public document 10 days before confirmation and payment is authorized upon such contracts.

Mr. ROBINSON of Arkansas. That is true; but will the Senator or anyone else contend that the mere existence of two words or three words in a paragraph or section would entitle the Senator to invoke Rule XXVII? Certainly not. The point I am making is that if we read the matter as a whole, it was different in the two bills, and it was upon that difference that the Vice President actually hung his ruling, and his decision was clearly correct.

Mr. PITTMAN. Before the Senator leaves that point let me say that the conferees would have to adopt the language either in the Senate bill or the House bill on that proposition, because they could not adopt both; that is a sure thing. If they could not agree on the language in the Senate bill and if they could not agree on the language in the House bill, they would have to write another section which would embody the intent of both Houses as nearly as they could compromise on it. That is what is meant by the proposition that when they substitute for a House bill a Senate bill all differences are bound to be in conference. But it is only the differences that are in conference.

Mr. CURTIS. But in this case the language was—

that the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD or in the Official Bulletin.

The Senator will agree that down to that point the language is identical.

Mr. ROBINSON of Arkansas. Yes; but that is not even a complete sentence. The Senator from Kansas is too good a lawyer or, at least, too good a Senator to make the contention that the matter agreed to, using the language of Rule XXVII, was the same in both places.

Mr. CURTIS. One was under the Department of Commerce and the other under the commission, and that was the only question in dispute, instead of the item referred to.

Mr. ROBINSON of Arkansas. I understand that, and it was entirely competent, that being a question in dispute, for the conferees to vest the jurisdiction either in the commission or in the Secretary of Commerce or in some independent authority if they could not agree upon which one of the two mentioned should have the jurisdiction. But failing to do that they have no right under Rule XXVII, as it has been uniformly construed, to strike out a section or paragraph which was contained in both bills, because by every fair rule of construction that constitutes matter agreed upon by both Houses.

Let me show how inconsistent is the position taken by the Senator from Kansas. He read an opinion dated February 27, 1919, by Vice President Marshall, in which the Vice President quoted the language in the two bills. A simple reading of the language shows that there was not only a literal difference but a substantial difference in the two provisions, although some identical words were found in both provisions. The first provision was:

And provided further, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House, for the information of Congress, and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document 10 days before confirmation and payment is authorized upon such contracts.

The provision which passed the Senate on that subject was, as follows:

Provided further, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House, for the information of the Congress, and printed in the CONGRESSIONAL RECORD or as a public document within 10 days after such confirmation.

The Senate omitted a very material portion of the provision as it was carried in the bill, namely, "and payment is authorized upon such contract." Is there a lawyer who hears me who will contend that those two provisions constituted matter agreed upon by the two Houses in spite of the fact that there was a substantial difference not only in the language, but in the legal effect and purpose of the two provisions?

In making the decision cited by the Senator from Kansas, the Vice President cited a case to a contrary conclusion which is an identical precedent in this case and it follows that the logic of the Vice President's position even in the case cited by the Senator from Kansas was in support of the point of order made in this case. Let me read it:

As heretofore stated, however, the Chair, being extremely desirous of sustaining this rule of the Senate, did sustain a point of order under circumstances of a bill enacted by the House, all after the enacting clause stricken out, and a new bill inserted in the Senate, where, in both bills, there was a section identical in language.

In view of the precedent cited by the Senator from Kansas, I submit that his first conviction, the one which he announced yesterday that the ruling of the Chair was erroneous, is justified and sustained, and his mature conclusion is unjustified and can not be sustained even by the precedents which he himself has cited.

Mr. WATSON. Mr. President—

The PRESIDING OFFICER (Mr. BRATTON in the chair). Does the Senator from Nevada yield to the Senator from Indiana?

Mr. PITTMAN. I yield for a question.

Mr. WATSON. I did not desire to ask a question. I wanted to make some brief observations.

Mr. PITTMAN. I shall try to finish in a few moments, unless some one else attempts to take the floor in my time.

I wish to call attention to the fact that the alleged difference in the two bills, as to whether the commission or the Secretary of Commerce should protect these rights, did not seem to govern as to other articles in the two bills. There were other articles in the two bills which were identical. This is a very peculiar situation. They let paragraph (d) go out, but when they came down to paragraph (e), to regulate the purity and sharpness of emissions from each station and the apparatus therein, they did not find any difficulty in keeping that in. When they came down to paragraph (f) to establish areas or zones to be served by any given station, which was identical in

both bills, they did not find any difficulty in keeping that in the bill. When they got down to (g) establishing a time for the inspection of licensed stations and their apparatus, they did not have any difficulty in keeping that in, because that was the same in both bills.

Mr. SMITH. They changed the power that was to administer it. It was in question as to who should administer it, but they retained the identical language that should be administered.

Mr. PITTMAN. Yes. The thing they struck out of the bill on the excuse that the bill differed as to whether the Secretary of Commerce or the commission should regulate it was paragraph (d), which guaranteed rights to every State; but they did not strike out (e), which was the same in both bills; or (f), which was the same in both bills; or (g), which was the same in both bills.

It is strange that a Senator can get up and argue that it is necessary to strike out paragraph (d) because there was a difference between the two bills as to whether a commission or the Secretary of Commerce should grant licenses, and yet he does not find any trouble at all with regard to the other sections.

Mr. President, I am about to close. I merely wish to add that a great deal of confusion has arisen as to the effect on parliamentary rules of pursuing the practice of substituting a Senate bill for a House bill. The two bills may agree entirely on the purpose sought to be attained. The House sends a bill over here and we may agree with every section of it in purpose, but there is pride of opinion as to language in each body. So the committee of the Senate rewrites the whole bill in different language. It goes back to the other House. If the language in the Senate bill is different in every particular from the language in the House bill, there are only three ways in which to effect an agreement in conference: To adopt the language of the House bill, to adopt the language of the Senate bill in conference, or to rewrite the language. That is evident. The language of the bill had to be rewritten in the case cited by the Senator from Kansas [Mr. CURTIS], because the language was different. We can not adopt the language of both bills when the language of the two is different; and therefore, when a measure goes to conference wherever the language of the two bills is different, the entire subject matter is in conference in the very nature of the case. If, on the other hand, we had adopted the House radio bill as the basis of our amendments, what would have been the result? There would have been nothing in conference except the Senate amendments, because both Houses would have agreed on the remainder of the text. The same principle applies when we substitute an entirely new bill.

The only thing for the conferees to do is to harmonize the difference in language or the difference of purpose. If the Senate substitute bill adopts all of the language except one paragraph of the House bill, there is nothing to do except to consider the language of that one paragraph, just the same as if we should take the House bill and add one paragraph to it in the Senate, no one could contend that there would be anything in conference except the change we had added to the House bill. So there can not be anything in conference in this instance except the changes made by the Senate in the House bill.

I wish to read into the RECORD at this point in justice to the Vice President the ground of his ruling. We have everything else in the RECORD, and I think that also should be in the RECORD. In making the ruling on yesterday, the Vice President stated:

The Chair would remark that when the amendment of the Senate is a new bill in the nature of a substitute instead of various amendments to different parts of the bill, the whole status of conference is changed under the precedents. Under the line of argument which the Chair followed the other day in holding that new matter when germane could be put in as an amendment under those circumstances, he would seem to be justified now in overruling the point of order. The status of conference being changed where the Senate substitutes a bill as an amendment, the precedents in effect hold that the restrictions of Rule XVII, paragraph 2, do not apply, and he so rules. The point of order is not well taken.

It seems strange that the duties of the conferees should change. Everyone knows that the purpose of a conference is to bring together the two Houses on their disagreeing votes, and nothing else. Whether that disagreement is shown by amendments to a House bill or by a new bill of the Senate as a substitute, the same authority and the same duties devolve on the conferees. As a general thing, the language is different when a new bill is substituted, and, of course, wherever there is a difference in language that difference is in conference, in the nature of things, because the conferees have got to adopt

the language of one bill or the other or rewrite the language. However, when language in both bills is identical, there is nothing for the conferees to do with regard to it.

The general principles governing the action of conferees were violated to such an extent in this body that in 1918 we adopted a specific rule governing the action of conferees in such cases. If we are to construe that rule out of existence, we ought to know it.

Mr. ROBINSON of Arkansas. Mr. President, let me ask the Senator what would be the effect of the provision of Rule XXVII which has application to this controversy if the present ruling should be sustained?

Mr. PITTMAN. It would mean, sir, that this body never could redraft a House bill; it would mean that if we saw fit to redraft the language of a House bill and offer it as a substitute so as to improve the language, we would throw open the door to having the conferees write any kind of a bill they wanted to write. To hold that they can not only strike out of a bill provisions that are identical in both bills but can strike out provisions that guarantee to the States rights that are not guaranteed by the measure written by the conferees means that we are again to surrender to the conferees the right to legislate. It is totally indefensible.

It does not amount to so much in this instance. If it involved solely this bill, I would not take such a serious interest in it. There is no question but that the bill will go back to conference, and the conferees will put back that section, and it will come back here; but the decision on this question is of vital importance. We can not stand here and deliberately and seriously give a construction to a rule unless we mean to stand by it. We can not afford to take these rules and work them first one way and then the other way for the sake of expediency. I am not one of those who believe in throwing down the rules of the Senate. I think we have nearly rules enough. I do not agree with some that we should have more stringent rules in this body.

I do not see what good more stringent rules would do or what good any rules would do if we are not going to uphold them. It is far more important to those who are worried about the rules of the Senate that they uphold the rules we have than that they seek additional rules.

The PRESIDING OFFICER. The question is, Shall the ruling of the Vice President made on yesterday stand as the judgment of the Senate?

Mr. JONES of Washington. Mr. President, I wish to say a few words. I wanted to sustain the conference report—

Mr. PITTMAN. Mr. President, I suggest the absence of a quorum. We are going to vote in a few minutes, anyway.

Mr. JONES of Washington. Will not the Senator withhold his point for a few moments?

The PRESIDING OFFICER. Does the Senator from Nevada withdraw his point of no quorum?

Mr. PITTMAN. I suggest the absence of a quorum. I want the Senator from Washington to be heard. He was one of those who participated in the debate on the adoption of the rule. It is too serious a matter to be put off.

The PRESIDING OFFICER. The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Frazier	Lenroot	Schall
Bayard	Gerry	McMaster	Sheppard
Borah	Gillett	McNary	Shipstead
Bratton	Glass	Metcalf	Shortridge
Broussard	Goff	Moses	Smith
Bruce	Gooding	Neely	Smoot
Cameron	Gould	Norris	Steck
Capper	Hale	Nye	Stephens
Caraway	Harrell	Oddie	Stewart
Copeland	Harris	Overman	Trammell
Couzens	Harrison	Pepper	Tyson
Curtis	Hawes	Phipps	Underwood
Dale	Heflin	Pine	Wadsworth
Deneen	Howell	Pittman	Walsh, Mass.
Dill	Jones, Wash.	Ransdell	Walsh, Mont.
Edwards	Kendrick	Reed, Pa.	Warren
Ernst	Keyes	Robinson, Ark.	Watson
Ferris	King	Robinson, Ind.	Wheeler
Fess	La Follette	Sackett	Willis

The PRESIDING OFFICER. Seventy-six Senators having answered to their names, a quorum is present.

Mr. JONES of Washington. Mr. President, I want to see this legislation enacted. I had hoped that we would be able to get a vote on this conference report. I have studied the question raised with a desire to sustain the Chair; but I can not get the consent of my mind to do it, taking into consideration the importance and the purpose of the rule that is invoked. I desire to state, just briefly, my reasons for not being able to vote to sustain the decision of the Chair.

I do not think the decision of the Chair in the broad language in which it was announced should be sustained under any circumstances. If that is the rule of the Senate, then whenever the Senate takes a House bill and strikes out all after the enacting clause and puts in a new bill, the conferees can write any legislation that they see fit that is germane to the subject matter under consideration. They can write a new bill and our only recourse is to reject the report on the merits or adopt it without the chance to amend it.

One of the prime purposes of the rule that was presented by the Senator from Kansas [Mr. CURTIS], which is known as the Curtis rule, was to prevent conferees from doing this very thing. It was designed to prevent conferees from taking matter that had been accepted by both Houses and substituting for it matter of their own. If the broad language used by the Vice President is adopted as the rule of the Senate, there is no limit upon the power of conferees in dealing with legislation under those circumstances. So it seems to me that if we approve the ruling of the Vice President, we practically nullify the rule that the Senate adopted for the specific purpose of preventing conferees from doing away with what has been agreed to by both Houses and substituting something that they think ought to be adopted in place of it.

I had hoped, however, that I could sustain the ruling of the Chair upon the ground that the conferees had not invaded the rule, that they had not violated the purpose of the rule; but, as I study the question, it seems to me clear that the rule has been violated. As has already been pointed out, the House provided in its bill in substance that each State should have a wave length. This bill provided that this should be done under the Secretary of Commerce. The Senate, in exactly the same language as used by the House, provided also that each State should have a wave length. It provided for this under a commission instead of under the Secretary. The only difference is as to whether we shall have a commission or whether we shall have a Secretary deal with the matter. There is no difference between the two Houses as to whether or not a State should have a wave length. That is a very important matter. That is substantial matter within the terms of the rule. Each House declared that each State should have a wave length in the very same words.

The conferees have not given each State a wave length. The conferees have placed this matter within the discretion of the supervising agency. They have sought to deal with the matter in a way; and in section 9 it is provided, as was read by the Senator from Kansas:

In considering applications for licenses and renewals of licenses, when and in so far as there is a demand for the same, the licensing authority shall make such a distribution of licenses, bands of frequency or wave lengths, periods of time for operation, and of power among the different States and communities as to give fair, efficient, and equitable radio service to each of the same.

Under that provision, however, it is entirely within the discretion of the body that has the administration of this act as to whether or not the State has a wave length, and substantially changes the position of the House and of the Senate.

Mr. President, I think this rule is a very vital one. We are not acting under the rules of the other House. We are not acting under the precedents that were established under the rules of the House or under the old rules of the Senate or under general parliamentary law; but, for the very purpose of correcting abuses that had grown up under those rules, this new rule was adopted by the Senate to control the action of its conferees; and in this rule we said that no matter that has been agreed to by both Houses shall be left out of the report. In other words, if the conferees leave it out, the conference report is subject to a point of order.

This is a very substantial matter. If the conferees can eliminate the matter they have eliminated by this report, there is no limit on their power. It was deemed of such importance by both Houses that each State should have a wave length that each House declared that each State should have it in identically the same words. The conferees have left that out. No State is assured of a wave length. The declared will of each House is nullified. It is clear to me that under the rule of the Senate this conference report is subject to the point of order, and that we must so determine unless we are going to do away with or practically nullify the rule that the Senate adopted to protect itself with reference to conference reports.

Mr. President, I know that we are frequently very liberal about points of order. The Senate is a rule to itself in almost all these cases; but where the Senate has adopted a specific rule for directing its proceedings we should follow that rule;

and in no case, in my judgment, is the following of a rule more important than in connection with conference reports. The abuses that grew up, as I said a moment ago, led to the adoption of this rule, and, much as I want to see this legislation passed, and passed quickly, I think it would be very unfortunate if we should break down this rule that was adopted for the protection of the Senate itself and in the interest of the careful and proper consideration of legislation by this body.

Mr. LENROOT. Mr. President, I think I have insisted as often as any Senator upon this floor upon the strict observance of what is known as the Curtis rule, and I concur with the view of the Senator from Washington [Mr. JONES] that the ruling as laid down by the Chair in sustaining this point of order is broader than the Curtis rule justifies. I believe that under the existing rule, even though the Senate adopts an amendment in the form of a substitute for a House bill, the conferees are confined to the matter actually in difference between the two Houses. But, Mr. President, the question is, What is the matter in difference between the two Houses with respect to this bill?

It is assumed by the Senator from Washington [Mr. JONES], the Senator from Nevada [Mr. PITTMAN], and other Senators who are opposed to the ruling of the Chair that both Houses have agreed that certain powers shall be exercised by somebody and that the only difference between them is as to the agency which shall exercise the powers. If I could accept that construction, I should agree with the Senator from Washington and the Senator from Nevada. But, Mr. President, it seems to me that the matter in difference between the two Houses is as to the powers that shall be exercised in the one case by the Secretary of Commerce and in the other by the commission. The two Houses never have come to an agreement that these powers shall be exercised by any other body than the one designated in the respective bills.

Mr. JONES of Washington. Mr. President, will the Senator yield for a question?

Mr. LENROOT. Yes.

Mr. JONES of Washington. I do not consider that it is a question of the exercise of a power. As I understand, the House said that each State shall have a wave length, and the Senate said that each State shall have a wave length.

Mr. LENROOT. If it had said that so that that provision could stand alone, if the whole question of powers of commission and Secretary could be stricken from the bill, then I would agree with the Senator, of course; but that is not so. The whole matter is one of powers of the Secretary or of the commission, because subsection (d) in the House bill provides that the Secretary of Commerce shall determine, and subsection (d) in the Senate bill provides that the commission shall determine—what?

The location of classes of stations or individual stations (with due consideration of the right of each State to have allocated to it)—

And so forth. There is no conferring of a definite right upon each State. It all goes to a power to be exercised.

Mr. DILL. Mr. President, may I suggest also that in the Senate bill the powers granted to the commission are different from the powers granted by the House bill. There are amendments to the House provision.

Mr. LENROOT. I was coming to that.

Now, what has happened? The House has said that the Secretary of Commerce shall exercise certain powers with reference to radio regulation. The House has not said that those powers shall exist irrespective of the Secretary of Commerce. The Senate has said that this commission shall exercise certain powers; and it so happens that the Senate has said in some particulars that the commission shall exercise the same powers that the House has said should be exercised by the Secretary of Commerce. There never has been, however, any meeting of the minds of the two Houses upon the question of powers. The difference between the two Houses is wholly in the one case as to the powers exercised by the Secretary of Commerce and in the other as to the powers exercised by the commission; and, they never having agreed that certain powers shall be exercised independently of these two bodies, it would be perfectly competent to amend the Senate provision with reference to powers or the House provision with reference to powers with any amendment that would be germane.

In other words, none of the text with relation to powers has actually been agreed upon between the two Houses. The House has said: "We propose to confer certain powers upon the Secretary of Commerce." The Senate has said: "We propose to confer certain powers upon the commission."

Mr. JONES of Washington. Mr. President—

Mr. LENROOT. I yield.

Mr. JONES of Washington. But has not the Senate said: "So far as this particular matter is concerned, we will confer exactly the same powers upon the commission as the House has conferred upon the Secretary of Commerce?"

Mr. LENROOT. No; certainly not—not as I read the language. The House has said: "We confer power upon the Secretary of Commerce to determine the location of classes of stations or of individuals." That is the subject matter of this paragraph—the power of the Secretary of Commerce—and then, in brackets, "with due consideration of the right of each State," and so forth; but it does not confer the right upon each State. He must give consideration to that fact; that is true; and it is a power that is conferred upon the Secretary of Commerce. The Senate has said: "We confer certain powers upon the commission," and it is true that it is in the same language.

Mr. JONES of Washington. And they are the very same powers.

Mr. LENROOT. Grant that they are: The Senate might well have said—and certainly from a parliamentary standpoint there can be no question about it—"We are willing to confer these powers upon a commission, but we are not willing to confer any of them upon the Secretary of Commerce." The House has said: "We are willing to confer these identical powers upon the Secretary of Commerce, but we are not willing to confer any of them upon a commission."

Mr. ROBINSON of Arkansas. Mr. President, if the Senator will yield, both Houses, however, have said that the power should be conferred.

Mr. LENROOT. No; they have not. That was the point.

Mr. ROBINSON of Arkansas. Therefore, the only question remaining in conference is, Upon whom shall it be conferred?

Mr. LENROOT. When the Senator was out I stated that if this is to be construed as an agreement by both Houses that certain powers should be conferred upon some body, then I would agree with the Senator; but my contention is that they have not so agreed. One House has agreed that certain powers shall be conferred upon one agency and the other House has agreed that like powers shall be conferred upon another agency. There has never been any meeting of the minds of the two Houses upon the question of powers. So, to my mind, it was open to the conferees to strike out any paragraph with relation to these powers, and to agree that the Secretary of Commerce might exercise certain powers, or that the commission might exercise certain powers, and I do not believe the conferees have exceeded their jurisdiction.

Mr. NORRIS rose.

Mr. DILL. Mr. President, I am very anxious to get a vote on this matter, and therefore, unless the Senator from Nebraska has something he is very anxious to say, I want to move to lay the appeal on the table.

Mr. NORRIS. Mr. President, I will not take the time of the Senate for more than a few minutes.

Mr. DILL. I simply want to get a vote before 2 o'clock.

Mr. NORRIS. Is the matter in such a parliamentary shape that the Senator must dispose of it before 2 o'clock?

Mr. DILL. At 2 o'clock the farm relief bill will come before the Senate.

Mr. NORRIS. I want to say just a word about the importance of this matter. We must not pass it over with the idea that it is an unimportant proposition, because one of the dangers of the times in legislative matters is legislation by conference committees in secret. We must not get the idea that because of an emergency we ought to do something hurriedly, which might be a mistake that would come home to trouble us.

The object of the rule under consideration was to take away from conference committees rights which neither the House nor the Senate wanted to delegate to conference committees. There is involved in this question no disrespect of the conference committee on the measure under consideration, because I think all of us realize how the Senator from Washington, in charge of the bill, has given earnest and able effort to bring about legislation. I am in entire sympathy with him. I have followed him all through until this conference report was brought in, and I originally intended to vote for the report, but upon examination I found so many instances where it seemed that fundamental things were stricken out of the bill which had passed the Senate, that I reached the conclusion that I should take a chance on the Senator being able to go back to conference and bring us another report before we adjourn.

Now we come to this point: A fundamental thing was included in the bill which passed the House which was restated in the bill which passed the Senate. It was provided in each bill that every State should be entitled to at least one broad-

casting station. The bill which passed the House provided that the matter should be under the control of the Secretary of Commerce, and the bill which passed the Senate provided that it should be under the control of a commission.

The vital thing, in my judgment, is not so much as to who shall control it but as to whether we shall retain in the measure something that was put in as a matter of right both by the House and by the Senate.

Suppose a bill had passed the House providing for the erection of a public building and the House had provided that it should be constructed by the Secretary of Commerce; then the bill would come to the Senate, and suppose we left the language as it was, except that we provided that the building should be erected and controlled by the Secretary of the Treasury, and in that form the bill went to conference. What would be in conference? The question would be, not whether we were going to have a building or not, because that had been decided, that was in both bills, but the question would be as to who should build it, the Secretary of the Treasury or the Secretary of Commerce.

We find a provision in both these bills that every State should have a broadcasting station, under the control, the House provides, of the Secretary of Commerce, and under the control of a commission, according to the Senate. The matter in conference is not whether each State shall have a broadcasting station, but as to who is to put it in and look after it after it is in. That is the only thing the conference had any power to deal with. The conferees were prohibited absolutely, under general parliamentary law, even without this rule, from taking out of both bills a provision to which each House had agreed. For the reasons I have stated it seems to me that the bill ought to go back to conference.

I have debated the matter perhaps longer than I should have and now, out of deference to the Senator from Washington, I shall yield the floor, although there were other things I desired to say.

Mr. DILL. Mr. President, I move to lay the appeal on the table, and on that I ask for the yeas and nays.

The yeas and nays were ordered.

The legislative clerk proceeded to call the roll, and Mr. ASHURST answered in the affirmative.

Mr. PITTMAN. Mr. President, as this is not a straight vote on the report but is on a motion to lay on the table, I think the Chair should state the parliamentary situation.

The VICE PRESIDENT. The question is on the motion of the Senator from Washington [Mr. DILL] to lay on the table the appeal from the decision of the Chair.

Mr. HEFLIN. As I understand it, the Chair held that the conferees had the right to make the changes they did make.

The VICE PRESIDENT. The Chair has so held.

Mr. PITTMAN. Mr. President, a parliamentary inquiry. The question is on the motion to table the appeal, is it not?

The VICE PRESIDENT. It is. A vote "yea" will be to sustain the Chair, and a vote "nay" will be to overrule the decision of the Chair.

Mr. HOWELL. I suggest the absence of a quorum.

The VICE PRESIDENT. The roll call had commenced, and the clerk will proceed with the roll call.

The legislative clerk resumed the calling of the roll.

Mr. FLETCHER (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. DU PONT], which I transfer to the senior Senator from Missouri [Mr. REED], and vote "nay."

Mr. SHEPPARD (when Mr. MAYFIELD's name was called). The junior Senator from Texas [Mr. MAYFIELD] is unavoidably detained on account of illness. He has a pair on this vote with the junior Senator from Connecticut [Mr. BINGHAM].

Mr. NYE (when his name was called). I have a pair on this question with the senior Senator from New Mexico [Mr. JONES], who is absent on account of illness. I transfer that pair to the senior Senator from South Dakota [Mr. NORBECK] and vote "nay."

Mr. ROBINSON of Arkansas (when the name of Mr. REED of Missouri was called). The Senator from Missouri [Mr. REED] is necessarily detained from the Senate.

Mr. OVERMAN (when Mr. SIMMONS's name was called). My colleague [Mr. SIMMONS] is absent on account of sickness. He is paired with the senior Senator from Oklahoma [Mr. HARRELD].

The roll call was concluded.

Mr. HARRELD. I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS], which I transfer to the senior Senator from Maryland [Mr. WELLER], and vote "yea."

Mr. HARRISON (after having voted in the negative). I have a pair on this question with the senior Senator from New

Jersey [Mr. EDGE]. In his absence I transfer that pair to the junior Senator from South Carolina [Mr. BLEASE] and vote "nay."

Mr. WATSON (after having voted in the affirmative). I have a pair with the senior Senator from Virginia [Mr. SWANSON], who is absent. I am informed that I am at liberty to vote on this question, however, and I therefore permit my vote to stand.

The result was announced—yeas 41, nays 34, as follows:

YEAS—41			
Ashurst	Fess	Metcalf	Smoot
Bayard	Gillett	Moses	Steck
Bruce	Goff	Oddie	Stewart
Cameron	Gooding	Pepper	Wadsworth
Capper	Hale	Phipps	Walsh, Mass.
Curtis	Harrel	Pine	Warren
Dale	Hawes	Reed, Pa.	Watson
Deneen	Kendrick	Robinson, Ind.	Willis
Dill	Keyes	Sackett	
Ernst	Lenroot	Schall	
Ferris	McNary	Shortridge	
NAYS—34			
Borah	Harris	Neely	Smith
Broussard	Harrison	Norris	Stephens
Caraway	Heflin	Nye	Trammell
Copeland	Howell	Overman	Tyson
Couzens	Jones, Wash.	Pittman	Underwood
Edwards	King	Ransdell	Walsh, Mont.
Fletcher	La Follette	Robinson, Ark.	Wheeler
Frazier	McKellar	Sheppard	
Gerry	McMaster	Shipstead	
NOT VOTING—20			
Bingham	George	Jones, N. Mex.	Reed, Mo.
Gleason	McLean	McLean	Simmons
Bratton	Gould	Mayfield	Stanfield
du Pont	Greene	Means	Swanson
Edge	Johnson	Norbeck	Weller

So the appeal from the decision of the Chair was laid on the table.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, Senate bill 4808.

Mr. McNARY obtained the floor.

Mr. DILL. Mr. President, will the Senator from Oregon yield to me long enough to submit a unanimous-consent request for a time to vote on the radio conference report?

Mr. PITTMAN. I will state that I shall object to it, so as to save time.

Mr. PEPPER. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. I yield.

NATIONAL BANK BRANCHES

Mr. PEPPER. Mr. President, I desire to propose a unanimous-consent agreement with reference to a vote on the pending motion concerning House bill No. 2, the banking bill. I send it to the desk and ask that it may be read.

The VICE PRESIDENT. The clerk will read the proposed unanimous-consent agreement.

The legislative clerk read as follows:

Ordered, by unanimous consent, That on the calendar day of Monday, February 14, 1927, at not later than 4 o'clock p. m., the Senate will proceed to vote, without further debate, upon any motion or amendment that may be pending or that may be offered to the motion heretofore made by the Senator from Pennsylvania [Mr. PEPPER] that the Senate recede from certain of its amendments and concur in the amendments of the House of Representatives to certain other amendments of the Senate and to the Senate amendment to the title to the bill H. R. 2, the so-called Pepper-McFadden banking bill, and upon the said motion itself; and that after the hour of 2 o'clock p. m. on said day no Senator shall speak more than once or longer than 15 minutes upon the motion or upon any amendment offered or motion made in relation thereto.

The VICE PRESIDENT. Is there objection?

Mr. WHEELER. I object to the unanimous-consent agreement.

Mr. PEPPER. If the Senator from Montana will suggest a 24-hour extension of the time named or any other reasonable modification in the interest of further debate, I shall be glad to modify the request accordingly.

Mr. WHEELER. I will say to the Senator that at this time I will not agree to any proposal to fix a time for a vote.

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business.

FARM RELIEF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4808) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities.

Mr. GOODING. Mr. President, there is an old saying, and I am sure a very true one, that sometimes great public calamities bring people to a realization of truth they will learn in no other way. So if, out of the great crisis that has overwhelmed agriculture in the last few years, the farmers of the country can learn that this is the age of organization and combination, that capital and labor are thoroughly organized in every part of the country, and that organization can only be met by organization, then the hardships, privations, and great losses the farmers have suffered in the last few years will not have been in vain.

But, Mr. President, we might just as well talk about organizing the wind as to talk about organizing 6,500,000 farmers scattered throughout 48 States of the Union—as to try and organize into one organization the American farmer without legislation. The bill provides the legislation for an organization of the America farmers in a simple and effective manner, and I believe it is clearly the duty of Congress to enact legislation that will make possible a farm organization for the marketing of farm products in an orderly and intelligent manner, for this Government is responsible in a large measure for the deplorable conditions of the American farmer, for through legislation that was thought essential during the war and soon after the war, all of the economic relationships that existed between agriculture, industry, and labor have been destroyed. Mr. President, I shall have no trouble in showing that this Government through legislation enacted during the war and soon after the war and the administration of that legislation is responsible for the hardships, privations, and great losses agriculture has sustained since 1920.

Before the war the prosperity of the great industries meant the prosperity of agriculture, and the prosperity of agriculture meant the prosperity of the great industries, and to that rule there was no exception. This is the first time in the history of the Government that agriculture has been demoralized and thrown into bankruptcy and suffered great losses that can only be measured by billions of dollars, while the great industries have enjoyed an era of prosperity never dreamed of before, and labor has been fully employed at the highest wage since the dawn of civilization.

The first hard times or panic that came to this country after the Constitution was adopted was the panic of 1816, and then came the panic of 1832, which lasted until 1840. Then came the panic of the late forties, which was followed by the panic of 1856 and 1857, and then came the panics of 1873 and 1893. In all of those great panics agriculture, industry, and labor all went down in one great crash together, and to that rule there is no exception.

I can remember something of the panic of 1873 and I can remember all about the panic of 1893. In that great panic the country witnessed 60,000 commercial failures, with liabilities of more than a billion dollars; railroads with mileage enough to reach twice around the earth could not meet their obligations and were forced into the hands of a receiver; free soup houses had to be established in all of the great cities of the country to prevent death from starvation. Agriculture was demoralized. Then we saw prosperity return, and agriculture, industry, and labor all came back together to enjoy prosperity as they had gone down together in that great panic that brought wreck, ruin, and disaster to the whole country.

The first legislation enacted by Congress which changed the economic conditions of the country was the Adamson law, which changed the basis of a day's labor on our railroads from a 10 and 12 hour day to an 8-hour day. The Adamson law brought about an annual increase in the price of labor on the railroads of \$60,365,874. In order that this increase in the price of labor might be passed on to the people, the Interstate Commerce Commission authorized an increase in freight rates which, on an average, equaled an 8 per cent increase. Then Congress enacted the Federal control act and Mr. McAdoo was made Director General of Railroads.

During Federal control of our railroads Mr. McAdoo authorized an increase in the price of labor on our railroads which has been responsible since 1919 for an annual increase in the price of labor of \$1,164,000,000. In order that this increase in the price of labor might be passed on to those who use the railroads of the country, the Director General of Railroads authorized a horizontal increase of 25 per cent in freight rates, and in this horizontal increase in freight rates no attention was paid as to how long the haul, or how short the haul, or, with but few exceptions, what the product would bear to carry it to market.

Then Congress passed the Esch-Cummins Act which created the Labor Board, and in 1920 the Labor Board authorized an increase in the price of labor on our railroads which was equal to an annual increase of \$522,000,000. Then in 1920, so that the railroads might pass this increased cost in the price of labor of \$522,000,000 on to the people, the Interstate Commerce Commission authorized an increase in freight rates of

from 25 to 40 per cent, and 33½ per cent as between the different railroad zones of the country.

In 1921 the Labor Board authorized a decrease which was equal to an annual decrease in the price of labor on our railroads of \$331,000,000. Since 1921 there have been some slight increases, and the increase in the price of labor on January 1, 1927, over the price of labor on our railroads on January 1, 1917, is \$1,763,365,874.

Since these increases in freight rates which were brought about by the Adamson law, the Director of Railroads and the Interstate Commerce Commission, the farmers of the United States have been forced to pay more than \$3,000,000,000 in increased freight rates for the use of the railroads. Labor generally was not slow to take advantage of the eight-hour day brought about by the Adamson law and the increase in the price of labor on the railroads. In 1917, 1918, and 1919 organized labor inaugurated 11,400 strikes, and in practically every one of these strikes they succeeded in bringing about an increased price for labor in the great industries of this country. To-day practically all of our great industries have followed the Government and adopted eight hours as the basis for a day's labor. It is the increase in freight rates, the increase in the cost of labor in the great industries, and the increased cost of labor on the farm that has brought about the increase of practically 100 per cent in the cost of production of farm products. In this increased cost of production, which has been forced on the American farmer by his own Government, lies the story of the hardships and privations and the demoralization of agriculture in America.

Surely, it seems to me, that it is not hard for anyone to understand when there is a 100 per cent increase forced upon any industry or any line of industry unless that industry and that line of business is able to pass that increase on to the people bankruptcy must overwhelm it in a short time.

If the Government had not increased freight rates so that the railroads could pass their increased cost of labor on to the farmers and others who use the railroads, every mile of railroad would have been in the hands of a receiver in one short year. That would also have been true as to all the great industries. If those industries were unable to pass their increased costs, due to the price of labor, on to the people, of course they would soon be in the hands of a receiver. That is true also so far as the merchant is concerned. If the country merchant were not able to increase the price of his goods, mark them up on the shelf, and pass the increased price on to the farmer, every country merchant in America would soon be in the hands of a receiver.

Mr. President, generally it can be said that the American farmer is without organization, that some one else always fixes the price of everything he produces on the farm and some one else always fixes the price of everything he buys for the home and the farm, and through legislation that has brought new standards in America in the operation of our railroads and of our great industries the farmers have had forced upon them an increase in the cost of production of farm products by their own Government of 100 per cent.

Mr. President, I am in full sympathy with the increase in the price of labor and the shorter hours of labor on the railroads and in the great industries. I hope we shall be able to maintain present standards and improve them in the future. What I am fighting for is to give agriculture the same relationship that existed between agriculture, industry, and labor before it was destroyed by our own Government by legislation thought essential during the war and following the war. What I am fighting for is to step agriculture up with industry and labor, not to tear down industry and labor and bring them to the level of agriculture to-day. God forbid that!

Mr. President, it is not strange that we find American agriculture in bankruptcy. The reason for great losses the American farmer has sustained in the last few years is a simple one when approached with an open mind and without prejudice. There is not a Senator on this floor who does not know and understand that those branches of agriculture which produce a surplus and because of that surplus are unable to receive any benefit from the protective tariff are facing an impossible condition, and unless we can enact some legislation that will give them a chance to bring about orderly marketing there is no hope for a prosperous agriculture in America.

If there is any doubt in the mind of any Senator that agriculture can continue under the present conditions, I hope he will listen while I tell the story of the mortgage indebtedness and other losses that have come to the American farmer. In 1920 the Government reports show that the mortgage indebtedness of the farms of this country was \$3,500,000,000, while to-day the mortgage indebtedness on the farms in America is \$12,450,000,000; and if we measure the losses that have come to agriculture

in the decline in the value of farm lands and farm prices since 1919, the American farmer has suffered a shrinkage in the value of farm lands and a loss in the price of farm products of more than \$32,000,000,000.

Since 1920 more than 2,000,000 farmers have lost their homes through foreclosure or are retaining them to-day through the leniency of their creditors, and between three and four millions of our farm population has been forced to leave the farm to find employment in the great cities. Nine per cent of the farm homes of America are vacant and stand out as silent sentinels of the tragedy that has overwhelmed agriculture during the last few years.

Mr. President, the farmers are not the only ones that have suffered since the deflation policy was forced upon this country in 1920. The number of bank failures that have occurred in the agricultural States since 1920 is appalling. I have a list here of the bank failures beginning with January 1, 1910, up to June 30, 1920, and also a list of the bank failures that have occurred since July 1, 1920, to December 31, 1926. This list I offer for the Record. It shows a total of 3,089 banks have closed their doors and not reopened. This number does not include the failures of State banks from July 1, 1926, to January 1, 1927. There have been more bank failures in six years than the total number of bank failures for half a century prior to 1920.

I want to call the Senate's attention to the fact that there were few, if any, bank failures in the agricultural States from 1910 to 1920. The bank failures in the agricultural States of the Union during that period was very much less in proportion than in the industrial States. But since 1920 this condition has been radically reversed; there have been fewer bank failures in the industrial States, while in many of the agricultural States the number of banks that have failed is staggering to any thoughtful American.

Arizona, which surely may be called an agricultural State, had no bank failures for the first period between 1910 and 1920, but between 1920 and January 1, 1927, Arizona had 30 bank failures.

Colorado had 10 bank failures for the first period and 67 bank failures in the last six years.

Georgia had 32 bank failures during the first period of 10 years and 161 during the last six years.

Idaho had 9 bank failures during the first period of 10 years and 62 bank failures during the last six years.

Iowa had 13 bank failures during the first 10 years, before the deflation of 1920, and 264 bank failures during the last six years.

Kansas had 9 bank failures for the first period and 108 for the last.

Minnesota had 23 bank failures during the first period and 224 during the second period.

Missouri had 18 bank failures during the first period and 143 during the second period.

Montana had 5 bank failures during the first 10-year period and 182 bank failures during the last six years.

Nebraska had 8 bank failures during the first period, before the economic conditions of the country were changed through legislation, and 118 bank failures during the last six years.

New Mexico had 10 bank failures during the first period and 58 since 1920.

New York had 76 bank failures during the first period of 10 years and in the last 6 years she has had only 6 bank failures, showing that a radical difference exists in the industrial States, a vastly better condition, if you please, than existed before 1920.

North Dakota had 6 bank failures during the first 10-year period up to 1920 and 321 bank failures in the last 6 years.

I wish to say, Mr. President, that so far as State banks are concerned, there are six months from the 1st of July of last year to the 1st of January of this year of which I have no record, and none is available at this time.

Oregon had 7 bank failures during the first period and 23 during the last 6 years.

South Dakota had 16 bank failures during the first 10-year period and 257 bank failures during the last 6 years.

Texas had 27 bank failures during the first period and 159 during the second.

Wisconsin had no bank failures during the first 10-year period, but in the last 6 years there have been 37 bank failures in that State.

Wyoming had no bank failures for the 10 years up to 1920, but during the last 6 years there have been 49 bank failures in that State.

I ask unanimous consent, Mr. President, that the table may be inserted in the Record at this point.

The PRESIDING OFFICER (Mr. ODDIE in the chair). Without objection, it is so ordered.

The table is as follows:

State and National bank failures

State	First period, Jan. 1, 1910, to June 30, 1920	Second period, July 1, 1920, to Dec. 31, 1926
Alabama	13	18
Arizona		30
Arkansas	26	33
California	4	20
Colorado	10	67
Connecticut	2	1
District of Columbia		
Florida	15	28
Georgia	32	161
Idaho	9	62
Illinois	68	45
Indiana	11	31
Iowa	13	264
Kansas	9	108
Kentucky	25	26
Louisiana	13	25
Maine	1	2
Maryland	4	5
Massachusetts	7	16
Michigan	20	20
Minnesota	23	224
Mississippi	27	24
Missouri	18	143
Montana	5	182
Nebraska	8	118
Nevada	2	1
New Hampshire		
New Jersey	3	1
New Mexico	10	58
New York	76	6
North Carolina	17	85
North Dakota	6	321
Ohio	31	9
Oklahoma	7	180
Oregon	7	23
Pennsylvania	29	25
Rhode Island	2	1
South Carolina	2	108
South Dakota	16	257
Tennessee	17	26
Texas	27	159
Utah	5	13
Vermont	1	1
Virginia	10	18
Wisconsin		37
Washington	19	40
West Virginia	11	8
Wyoming		49
Total	674	3,089

Mr. GOODING. It is not strange, Mr. President, that when agriculture is destroyed the banking system in the agricultural States is likewise broken down and destroyed.

Mr. President, I wish to give the other side of the picture and refer to the prosperity and great wealth which have come to the industrial States of the Union. How different the story is when the conditions that exist in the industrial sections of America are reviewed! In the industrial sections more wealth has been accumulated in 12 short years than has been accumulated by some of the great nations of the world in their thousand years of existence.

I offer for the Record a table showing the increase in the deposits in all banks during the last 12 years.

The PRESIDING OFFICER. Without objection, the table will be printed in the Record.

The table is as follows:

Total deposits, all banks, 1914 and 1926

Class of bank	June 30, 1914	June 30, 1926
National banks	\$8,563,750,926.12	\$20,642,164,000.00
State (commercial) banks	3,411,009,668.61	13,832,837,000.00
Loan and trust companies	4,289,095,468.29	9,839,429,000.00
Stock savings banks	1,031,672,932.97	2,031,975,000.00
Mutual savings banks	3,915,795,392.34	2,031,075,000.00
Private banks	148,517,030.02	133,249,000.00
Total banks other than national	12,796,091,390.23	33,414,213,000.00
Total all reporting banks	21,359,842,316.35	54,056,377,000.00

An increase in 12 years in our bank deposits of \$32,696,535,683.65.

Mr. GOODING. It appears from the table, Mr. President, that on June 30, 1914, the total deposits in all banks in America was \$21,359,842,316.35, while on June 30, 1926, the deposits had

increased to \$54,056,377,000. In 12 years there was an increase in the deposits in banks of \$32,696,535,683.65.

In other words, in a period of 12 short years we accumulated in our banks more than one and a half times more wealth than all of the accumulation in our banks since the Declaration of Independence first proclaimed the birth of a new Nation. On the other hand, while we have had nearly 3,000 bank failures in the agricultural States during the last six years, the banks in the industrial States have more than doubled their deposits. This increase in wealth has astonished the whole world, but it has been confined to the industrial sections of the country, for while agriculture had a loss of \$32,000,000,000 the deposits in banks have increased \$32,000,000,000, so that the deposits in the banks and the losses to agriculture have kept pace with one another very nicely.

Now, Mr. President, for the first time we have a bank in New York City that boasts of deposits of more than \$1,000,000,000; nor is that all. To-day we boast of having more than half of all the gold in the world. The total national wealth of the United States for 1914 was estimated at \$200,000,000,000, and I am advised by the Department of Commerce that the total national wealth of the United States for 1926 is estimated at \$321,000,000,000. It is my understanding that the Federal Trade Commission has made estimates of our national wealth as high as \$373,000,000,000, and I take it that the estimates of the Department of Commerce are very conservative.

Taking the conservative estimate of the Commerce Department, we have accumulated more wealth in America in the last 12 years than all England accumulated in a thousand years of existence. The national wealth of England is estimated at from \$100,000,000,000 to \$120,000,000,000; that of Germany from \$40,000,000,000 to \$55,000,000,000; France, fifty-two billion; Italy, from twenty-three to thirty billion; Belgium, from ten to twelve billion; Japan, fifty billion; Switzerland, from six to eight billion; the Argentine, fourteen billion; and Brazil, \$16,000,000,000, making the total estimated wealth of those great countries \$357,000,000,000, if we take the high estimates, as compared with \$321,000,000,000 for the United States. In other words, the United States to-day boasts as much wealth as England, Germany, France, Italy, Belgium, and Japan combined. So, when I find that we have an assessed valuation in America of \$123,000,000,000, I am inclined to think the estimate of the Federal Trade Commission is not far wrong. In the last 12 years, Mr. President, as I have stated, we have accumulated more wealth than England has accumulated in her thousand years of existence.

It is said that in 1914 foreign countries had invested in America \$4,500,000,000. To-day that investment has been reduced until it is but one and a half billion dollars. In 1914 America had invested in foreign countries two and a half billion dollars. I am advised by the Department of Commerce that our investments in foreign countries for 1926 amounted to \$11,605,000,000, and it is said that we are investing abroad at the present time at the rate of more than \$1,000,000,000 a year.

Out of the \$11,605,000,000 invested in foreign countries \$5,002,000,000 is loaned to foreign governments and municipalities, and these loans are guaranteed by the government of the country where the loan is made. Six billion six hundred and three million dollars represents the investments of American corporations. These investments made by the American corporations are to be found in nearly every country on earth.

Mr. President, we speak of a billion dollars to-day as easily as we spoke of a million dollars a few years ago. I am free to confess that I do not understand what a billion dollars means. All I know is that it takes a thousand millions to make a billion; but, so that I might have a better understanding of what this vast sum is, I asked the Governors of the States of California, Oregon, Washington, Idaho, Wyoming, Utah, and Nevada for the assessed valuation of those States for 1925.

I was advised by the governors of those States that the valuation of those seven States with their railroads, their cities, their fertile lands, their great timber resources, and their great mining resources, a mighty empire, was \$11,200,000,000, or less, if you please, than a few international bankers and a few captains of industry, as they are called, have invested in foreign countries.

Then, that I might still have a better understanding of these great investments of American bankers and captains of industry abroad, I asked the governors of the Southern States for their assessed valuation at the present time; and I was advised by the Governors of the States of North Carolina, South Carolina, Alabama, Louisiana, Mississippi, Florida, Georgia, and Oklahoma that the assessed valuation of those eight States for the year 1925 was \$12,031,428,451. The South, like the West, is a mighty empire in itself; and while the assessed valuation does not represent anywhere near the actual

valuation of either the South or the West, yet it is a fair basis for comparison. There are millions of people in the 15 Southern and Western States I have named, while but a few people in comparison own the wealth, that our international bankers and industries have invested in foreign countries. In those 15 States there are millions of people and a great territory. The West and the South produce practically all the raw material of America; and yet, when you come down to the assessed valuation of their property or of their real wealth, that is a mere bagatelle compared to what we have here in the East, and not so much as a few great captains of industry and bankers control in foreign countries.

There is something wrong, Mr. President, and dangerously wrong, with the economic conditions of the country when in 12 short years this country can accumulate more than the entire wealth of Great Britain after her struggle for wealth of a thousand years. There is something wrong with a country, Mr. President, that has a lopsided accumulation of wealth and a lopsided prosperity, where the rich are growing richer and the poor are growing poorer; and when I speak of the poor, I am referring to the American farmer, who is growing poorer every day in the year.

It was found by an investigation under what we call the Walsh resolution that the Aluminum Trust, which controls the price of aluminum in America, extends beyond our own shores. Ah, we have great organizations in America; and let me say again, this is the age of organizations and combinations. It might properly be called a new civilization. While capital is thoroughly organized in all the great industries of America today, they have what they call a gentlemen's agreement. It is known that those representing the great lumber industries meet in Washington every year around the table to fix the price of different grades of lumber. That runs through every great industry in America, without exception. Is there any doubt that there is a gentlemen's agreement in the steel industry to continue the Pittsburgh plan and carry it on?

Mr. COUZENS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Michigan?

Mr. GOODING. I do.

Mr. COUZENS. Does the Senator think there is such an agreement among the motor-car manufacturers?

Mr. GOODING. I do not know whether there is or not; but I know that the motor industry has developed one man whose wealth is now estimated at \$2,000,000,000. The Senator from Michigan can answer that question better than I can. Evidently they do not need any organization to fix prices. I think it is a crime that in any country one man, in a quarter of a century, can acquire a wealth of a billion dollars. I do not care whether it is Henry Ford or anybody else; it is not right; it is not fair to the rest of the country. I understand that his wealth is estimated at two billions and that he can take a cash proposition of a billion at any time. He has taken more than he is entitled to take out of somebody in this country or those in this country who are forced to use Ford machines. The farmers have been forced to use them, because they have not been able to buy anything else.

I am quite willing to give Mr. Ford great credit. He has earned great wealth because he has brought into being in this country mass production, which has been beneficial to the whole country.

Mr. President, I offer for the RECORD a list of concerns which have filed their annual reports for 1925 with the Federal Trade Commission in connection with the export trade act, the Webb-Pomerene law.

The PRESIDING OFFICER. Without objection, the list will be inserted in the RECORD.

The matter referred to is as follows:

LIST OF CONCERNS WHICH HAVE FILED THEIR ANNUAL REPORTS FOR 1925 WITH THE FEDERAL TRADE COMMISSION IN CONNECTION WITH THE EXPORT TRADE ACT (WEBB-POMERENE LAW) AND CONCERNS WHICH HAVE FILED STATEMENTS SINCE JANUARY 1, 1926, TO DATE OF JANUARY 24, 1927.

American Brake Beam Manufacturers Export Association, West Nyack, Rockland County, N. Y.

American Corn Products Export Association, 17 Battery Place, New York City.

American Locomotive Sales Corporation, 30 Church Street, New York City.

American Milk Products Corporation, 71 Hudson Street, New York City.

American Paper Exports (Inc.), 75 West Street, New York City.

American Pitch Pine Export Co., 1005 Pere Marquette Building, New Orleans, La.

American Provisions Export Co., 140 West Van Buren Street, Chicago, Ill.

American Soda Pulp Export Association, 200 Fifth Avenue, New York City.

American Spring Manufacturers' Export Association, 921 Farmers' Bank Building, Pittsburgh, Pa.

American Surface Abrasives Export Corporation, Room 1309, 82 Beaver Street, New York City.

American Tire Manufacturers' Export Association, 17 John Street, New York City.

American Webbing Manufacturers' Export Association, 395 Broadway, New York City.

Associated Button Exporters of America (Inc.), 1182 Broadway, New York City.

Automatic Pearl Button Export Co. (Inc.), 301 Mulberry Avenue, Muscatine, Iowa.

California Dried Fruit Export Association, Room 602, No. 1 Drumm Street, San Francisco, Calif.

Cement Export Co., The, care of Charles F. Conn, Pennsylvania Building, Philadelphia, Pa.

Chalmers (Harvey) & Son Export Corporation, Rear 31 East Main Street, Amsterdam, N. Y.

Copper Export Association (Inc.), 25 Broadway, New York City.

Davenport Pearl Button Export Co., 1235 West Fifth Street, Davenport, Iowa.

Douglas Fir Exploitation & Export Co., 1125 Henry Building, Seattle, Wash.

Export Clothes Pin Association of America (Inc.), 280 Madison Avenue, New York City.

Exporters of Wood Products (Inc.), 25 Broad Street, New York City.

Florida Hard Rock Phosphate Export Association, Savannah Bank & Trust Building, Savannah, Ga.

Florida Pebble Phosphate Export Association, Produce Exchange Building, New York City.

Goodyear Tire & Rubber Export Co., The, 1144 East Market Street, Akron, Ohio.

Grain Products Export Association, The, 17 Battery Place, New York City.

Grand Rapids Furniture Export Association, 214 Lyon Street NW., Grand Rapids, Mich.

Gulf Pitch Pine Export Association, 1223 Whitney Central Building, New Orleans, La.

Hawkeye Pearl Button Export Co., 601 East Second Street, Muscatine, Iowa.

Locomotive Export Association, 30 Church Street, New York City.

Naval Stores Export Corporation, 625 Whitney Building, New Orleans, La.

Pacific Flour Export Co., care of Centennial Mill Co., 506 Central Building, Seattle, Wash.

Pan American Trading Co., 116 Broad Street, New York City.

Phosphate Export Association, Produce Exchange Building, New York City.

Pioneer Pearl Button Export Corporation, 217 Mansion Street Poughkeepsie, N. Y.

Pipe Fittings & Valve Export Association, Branford, Conn.

Producers' Linter Export Co., 822 Perdido Street, New Orleans, La.

Redwood Export Co., 260 California Street, San Francisco, Calif.

Rubber Export Association, The, 1213 Akron Savings & Loan Building, Akron, Ohio.

Sugar Export Corporation, 113 Wall Street, New York City.

Sulphur Export Corporation, 33 Rector Street, New York City.

United Paint & Varnish Export Co., 601 Canal Road, Cleveland, Ohio.

United States Alkali Export Association (Inc.), 25 Pine Street, New York City.

United States Button Export Co., 701 East Third Street, Muscatine, Iowa.

United States Handle Export Co., The, Piqua, Ohio.

Walnut Export Sales Co. (Inc.), 616 South Michigan Avenue, Chicago, Ill.

Walworth International Co., 88 Pearl Street, Boston, Mass.

Wisconsin Cannery Export Association, Manitowoc, Wis.

Copper Exporters (Inc.), 25 Broadway, New York City.

Export Screw Association of the United States, The, Room 504, 101 Park Avenue, New York City.

Salmon Export Corporation, 3001 Smith Building, Seattle, Wash.

Mr. GOODING. Fifty-two of these corporations—and they include pretty much all the great corporations of America—are exporting and selling the products of their industry abroad cheaper than they are in America. Under the Webb-Pomerene law, as I understand, they are not violating the Sherman Antitrust Act when they sell cheaper abroad than they do at home. That is just what the American farmer is asking to be permitted to do through his corporation—to sell cheaper abroad

than he does at home. The American farmer has had forced upon him through legislation an American cost of production. He can not sell American farm products in this country for the prices charged for European farm products that are produced by labor that costs only 25 per cent as much, in some cases, as he is forced to pay in America.

In discussing the price of labor, let it be understood that I am not opposed to the increases that have come to labor. I congratulate organized labor for the splendid fight they have made to give labor in this country at least enough to live decently and respectably. I am for the American standard and the American wage of labor, and I have always sustained it since I have been in this body by my vote when I have had the opportunity.

Almost every other government on earth, Mr. President, is trying to protect its producers. I have here a list of raw materials that are stabilized by foreign countries. The first on the list is Egyptian long-staple cotton; it is all right for England to stabilize long-staple cotton, but it is a crime to stabilize the price of cotton in America. Other products stabilized by foreign countries are camphor, coffee, iodine, nitrates, potash, mercury, rubber, and sisal.

This is only a part of the story, for Germany, France, and Belgium have gone into a combination to fix the price of steel and divide the territory and to agree on the percentage of production of steel each country shall manufacture. All over Europe to-day there is in existence what is known as the German cartel. Something like 30 industries are more or less involved in the control and production of raw materials and manufactured articles; and it is essential, Mr. President, to the prosperity and happiness of the American people that Congress takes due notice of these combinations.

The industries of Europe are not as well organized, as far as fixing prices is concerned, as those in America.

It is my understanding that in an investigation on the Walsh resolution of the Aluminum Trust of America, it was found that that organization reached beyond our own shores.

I regret that Mr. Mellon is on record against the McNary-Haugen bill. I am sure if he had studied the bill he would be for it, but evidently the Mellon interests do not understand the needs or conditions of agriculture. Last year when the price of wheat was tumbling down in the American markets, a brother of Secretary Mellon was on his way to Europe, and in New York gave out an interview in which he said he noticed that the price of wheat was coming down in America, and that that was as it should be.

Mr. President, the attack on the McNary-Haugen bill by the corporation interests of America is for the purpose of breaking down organized labor. They know and understand that with the present conditions of agriculture, with 500,000 boys and girls leaving the farms every year to find employment in the great cities, if that condition can be continued, it will be only a question of time before they can break down the price of labor in America.

It seems we have reached a period in the history of America when the great captains of industry are ready to do anything for their own selfish interests. They are no longer satisfied to invest the money they have made in this country for the development of American industry, but are busy developing industries in foreign countries, where labor costs but little as compared with the price of labor in America. At the same time these great international bankers and great captains of industry are advocating the removal of the tariff barriers, as they call them, and it is in the great selfishness of the corporations of America, in my judgment, that there lies a grave danger and a menace to the prosperity and happiness of the American people.

Let us not forget that the greatest problem that confronts every government on earth is that of finding employment for its own people. This is no longer a new country, for at no place on American soil is there a frontier. The frontier, with its fascinations, its hardships, and privations, has passed away, and at no place in any of the public-land States of the Union is there an opportunity for the great cities to relieve their congested conditions by the people finding new homes on the public domain. The problems that have confronted Europe for a thousand years will soon confront this country—that of a congested population in the great cities, with the problem of finding employment for our own people.

Mr. President, with our farm population leaving the farms and crowding into our great cities, the time will come in a few short years, unless we pass some legislation that will permit the farmer to organize so he can get something above the cost of production, when, from the exhaustion of the soil which is taking place at the present time, this country will not be producing enough to feed its own people. For a decadent agricul-

ture has never been able to keep up the fertility of the soil. A great statesman once said there were three grave dangers to the life of every nation, one from invading armies, one from selfishness and greed, which create anarchy, and together selfishness, greed, and anarchy have destroyed one government after another as far back as history records the story of the rise and fall of civilization; and last, but not least, the danger from the exhaustion of the soil. Show me a community anywhere in America where the soil has been exhausted for any length of time, where it has become a struggle to keep the wolf from the door, and I will show you a community where the citizenship, like the soil, has gone backward.

In the fifth century, when the Huns and Vandals ravished the Roman Empire, the soil of Rome was only producing an average of four bushels of wheat to the acre, and all other agricultural crops were in the same proportion, and when the soil of Rome lost its virile force, the manhood of that mighty nation, which for centuries had ruled the world, lost its virile force, and Rome went down to destruction.

To me, Mr. President, President Coolidge made a most startling statement in his message to the Sixty-eighth Congress when he had this to say in regard to the exhaustion of the soil:

The production of nitrogen for plant food in peace and explosives in war is more and more important. It is one of the chief sustaining elements of life. It is estimated that soil exhaustion each year is represented by about 9,000,000 tons, and replenishment by 5,450,000 tons. The deficit of 3,550,000 tons is reported to represent the impairment of 118,000,000 acres of farm lands each year.

In the same message it is stated that the total crop production in this country for that year was 370,000,000 acres. If there is an impairment of the soil in this country of 118,000,000 acres of farm land each year, then a most dangerous condition confronts America from the exhaustion of the soil. I believe if this bill is passed it will mean the beginning of a new day for the man who tills the soil—the emancipation of agriculture in America.

Mr. President, the McNary-Haugen bill is not a hastily prepared measure, for the Agricultural Committees of the Senate and the House have been considering the problems of agriculture for the last six years, and this bill represents the best thought of the majority of the members of those committees in the solution of the deplorable conditions that exist in agriculture. This bill represents the best thought of the great farm organizations that have been active in the interest of legislation for the American farmer. This bill, Mr. President, provides the same machinery for the marketing of farm products that is used to-day in all of the great industries for the marketing of their products. All this bill does is to bring about an orderly and intelligent marketing of farm products; it does not fix prices any more than the boards of directors in any of the great industries fix prices. It merely offers the five agricultural products named in the bill to the markets of this country and to the markets of the world in an orderly manner.

Instead of farm products being dumped on the market as they are at the present time without any regard as to their demand, the farmers' board of directors, through the assistance of co-operative organizations, will bring about a stabilization of farm products, and we will not have the high points and the low points as shown in the charts I have placed on the wall. By the elimination of the duplication in the handling of farm products, and the wild speculation that often occurs, we will bring about an orderly marketing and, through an orderly marketing, we will in time bring about an orderly production of farm products in America.

Now, I want to take a few minutes in explaining the maps on the wall. These maps in themselves tell a great story. It has been often said, in fact ever since the depression came to agriculture, that if the farmer is let alone, if his fool friends will not bother him, he will soon work out his own problems.

I have here on the wall five charts which have been prepared by the Department of Agriculture, and every one of them shows the trend of the prices of farm products downward. To that rule there is no exception. The price of wheat, the price of corn, the price of cotton, the price of rice, the price of swine are lower than they were a year ago.

Agriculture can not go on with an increase of 100 per cent in the prices of the things the farmers must buy, forced upon them by their own Government, without any chance of passing it on to anybody. Agriculture has to absorb it all, and that is not hard to understand.

I call the attention of the Senate to these two lines. The dotted line represents wholesale prices of commodities, the "all-commodity price" it is called, starting here with 100 per cent. The black line, the line with these peaks and these valleys, we will call them, in this case represents the price of hogs,

It is not fair to use as a basis the wholesale price, because the farmer's dollar is a retail dollar. He never bought anything at wholesale in his life. There are no statistics as to retail prices available, and so the department used the wholesale prices.

There is another thing I want to call to the attention of the Senate; that is that there is a greater spread between the retail price and the wholesale price now than there was before the war. The wholesale prices are taken where the products are manufactured and at wholesale points in the great cities and are averaged. So, when we consider the increases in freight rates, which the retailer has to pay and pass on, we find that the spread is very much greater than it was before the war.

This is where the retail price would start [indicating], fully 50 per cent above the wholesale price. So, when we talk about farmers' prices reaching a parity with the all-commodity price, it does not mean so much after all.

Now I shall go over and discuss the cotton map a moment. We find cotton here at 37 and 38 cents a pound, and we find it down here at 6 cents a pound. If we had the price stabilized, so that we could draw a line through here and take only the average price, we would have cotton selling at 19, almost 20 cents a pound. Even if we could not increase the price of cotton beyond the average price at which it was bought in those years, we would still be getting a fair price for cotton.

I want to call the attention of Senators from the cotton States to the danger confronting the cotton industry. I regret that I am suffering from a cold and a bad throat. If I do not make myself clear, I hope I may be interrupted. Perhaps that would do me good and warm me up a little.

The cotton growers last year produced 18,000,000 bales of cotton. The survey of the Department of Agriculture shows that there are on hand at the present time 24,000,000 bales of cotton as compared with 19,400,000 bales a year ago, 16,300,000 bales two years ago, which is 2,800,000 more than we had in 1923. I call the attention of the cotton growers to the fact that they have a year and a half supply of cotton on hand.

I am sure Senators from the cotton-growing States will remember press reports of a few days ago to the effect that the price of cotton had gone up on account of the fact that it was expected that the McNary-Haugen bill would become a law; and there is no question but that the price will go up if that bill is passed, because it will enable the farmers to take their cotton off the market and to feed it on to the market in an orderly way, the same as the great steel industry sells steel when there is a market for it.

There is to-day an order of dumping. The farmer has to get rid of his cotton, has to have the money, needs it, and, of course, is always shoved on to the market in the early months soon after the cotton is produced. The result is that under that order of affairs we can not have orderly marketing at all. I would say to Senators from the Southern States that with 24,000,000 bales of cotton on hand—more than 18 months' supply of cotton on hand—they should do something to relieve the market. The price is hanging around 10 cents a pound at the present time. It went up 4 or 5 points, I think, a few days ago.

Mr. President, I am not surprised that a lot of farmers in Ohio—and there may be some in other eastern States—are not in favor of the McNary-Haugen bill. I believe that they would be for it if they would study it, but their conditions are entirely different from those of farmers west of Chicago.

When a farmer west of Chicago ships farm products to New York and to Ohio he has to pay an excessive freight rate. On onions from Texas to eastern States the rate is \$1.50 a hundred, on wheat 40 cents a bushel, and on potatoes \$1.50 per hundred; but I wonder who made the great markets in Ohio and in Michigan and in all the industrial States of the Union? It was not the farmers of Michigan. They have done their share, it is true, but the farmers of the West have made those great industries possible in the industrial States of the East. They are the ones who made it possible for the Ohio, Michigan, and New York farmers to have a home market, something that is denied to the farmer of the West. He occupies a different position. Give the western farmer what he is asking for, the same price that the farmer in New York and Ohio and Michigan can get for their wheat and most of their farm products, and he will be satisfied. But there has been an increase in his freight rates and in his cost of production. It is not strange at all that farmers from Ohio and some of the other Eastern States are not much interested, and yet they would be interested if they were forced to study the question as the farmers of the West have been forced to do.

Let me tell you something about the story of wheat. The farmer gets 1.4 cents for the wheat that goes into a loaf of bread. Surely every Senator knows that in the first and second class hotels and on the dining cars he has to tip a waiter more than the farmer gets for what he eats, for the food that he eats and to get reasonable service. It is a crime, to my mind, to hold the farmer responsible for the high cost of living in America. Everybody knows that is not true.

Mr. President, the average production of wheat in America since 1920 has been 802,000,000 bushels. In 1926 we exported 108,035,062 bushels of wheat and in flour equivalent to wheat. The tariff on wheat is 42 cents a bushel. What the farmers are asking for is the foreign price plus the tariff of 42 cents a bushel, which would make a bushel of wheat worth \$1.42 in America. The question, of course, comes, How can the tariff be made effective? To make the tariff effective the commission or the farmers' board of directors would take the surplus off the market.

The harvesting of wheat extends over a period of five months. It begins in Oklahoma and other Southern States in the month of May and in some of the Northern States the harvest is still on as late as October. It would not be a difficult task for the board to take the surplus off of the market, so that if the miller wanted to buy wheat he would have to pay the foreign price plus the duty of 42 cents a bushel. If he imported his wheat that is what he would have to pay, and that is what he should pay, for because there is a duty on wheat of 42 cents a bushel the millers are given a duty on flour of \$1.06 per hundred, and there is no doubt but what the miller passes this tariff of \$1.06 on the consumer, giving the farmer only very little benefit from it at the best.

Now, we find that in exporting 108,000,000 bushels of wheat that is worth \$1 a bushel for export, for which they pay \$1.42, the board would lose on its wheat for export \$25,347,726.04. The board would collect this loss by levying an equalization fee of, we will say, 10 cents a bushel. Out of the 802,000,000 bushels there is something like a hundred million bushels used for seed and other purposes; it does not go through the channels of trade. This would give the farmers of this country \$1.32 a bushel on the basis that wheat is worth \$1 a bushel for export.

We heard a good deal yesterday about taking money out of the farmer's pocket, but it never has been in his pocket. If he sells his wheat abroad, he gets a dollar for it. If it was sold under the organization provided for in the bill, he would get \$1.32. He would have 32 cents to put in his pocket and he would have paid the 10 cents equalization fee above that. Is that going to increase the price of bread in America? With the increase in wheat production taking place in the world there is very great danger that it may be driven below \$1 a bushel again. With Russia having a production of 680,000,000 bushels of wheat she will again be a factor in feeding the world.

An investigation made by the tariff board shows the cost of production in this country is \$1.40 for the States of Minnesota, North and South Dakota, and Montana. That was the figure for 1921, 1922, and 1923. The cost of production in Canada was 92 cents a bushel. In 1921 the farmers of this country lost \$314,000,000; in 1922, \$364,000,000; in 1923, \$380,000,000; in 1924, \$100,000,000; while in 1925 they lost \$166,000,000. Altogether in those five years, on estimates shown by the Government, the wheat growers of the country lost \$1,327,000,000. In 1925 we produced only 660,000,000 bushels of wheat and that high price of wheat was increased and the wheat growers received 5 cents a bushel more than the actual cost of production. That year they made a profit of \$33,468,000.

Since the President increased the duty on wheat from 30 to 42 cents per bushel the difference in the price of wheat at Minneapolis and Winnipeg has been just a little over 12 cents a bushel. The Senator from Ohio [Mr. Fess] took me to task yesterday because I said the farmers did not get the benefit of the tariff on wheat. Any man who knows anything about the tariff at all or has studied it—and I am, of course, sure the Senator from Ohio has not paid any attention to it or he would not go out and tell the farmers that they get any benefit from the tariff on wheat—knows that the facts show that the farmer has not received any benefit at all so far as soft wheat is concerned, with the exception of the year 1925 when we had a shortage and then it was very, very slight. I have a table which I want to have placed in the Record, and then I shall conclude my remarks.

I have here a statement of the cost of a barrel of flour for the years from 1913 down to and including 1926, showing also the price of wheat; showing the cost of the wheat in a barrel of flour; showing the amount of money the farmers have received for the wheat that goes into a barrel of flour;

showing the price of a loaf of bread for all those years, the price the bakeries received for the 280 loaves of bread that are made out of a barrel of flour; also the price that the millers have received for their flour over and above the price that the bakers receive when wheat is figured in.

Taking the first period, 1913 to 1917, inclusive, I have here the earnings of the great mills of America, 37 different flour mills which represent most of the large flour mills of America. For that period of five years beginning with an investment of \$13,678,911.12 the statement shows an earning in interest for the first year of 12 per cent; for the second year 17 per cent; for the third year 18 per cent; for 1916, the fourth year, 38 per cent; for 1917, the fifth year, 34 per cent. For the period of five years, through an investigation made by the Federal Trade Commission, those 37 mills in the country, manufacturing a large part of the flour, showed an earning in interest or in profits, as I will call it, of \$63,303,403.93.

During the same time they increased their capital by \$22,083,936, making a total increase, or a total profit, we will say, in five years, out of an investment of \$43,889,911.12 of \$85,387,339.93. That is the profit of the millers in America. While the wheat growers have been producing wheat below the cost of production the millers have made a profit of 200 per cent in five years. Mr. President, I find, taking the first period of five years and the last period of five years that the millers have earned vastly more during the last five years than they earned in the period of the first five years to which I have called the attention of the Senate.

Mr. President, I ask to have the tables referred to inserted at this point in my remarks:

Two hundred and eighty loaves of bread in a barrel of flour

[Chicago average]

	Flour per barrel	Wheat per bushel	Cost of wheat in barrel of flour	Average price bread per loaf	Baker receives per barrel flour	No. 86 middlings and bran plus—
				Cents		
1913.....	\$4.22	\$0.88	\$3.94	6.1	\$17.08	\$0.28
1914.....	5.84	1.08	5.07	6.1	17.08	.77
1915.....	5.46	1.13	5.31	6.6	18.48	.15
1916.....	9.20	1.68	7.89	6.8	18.48	1.31
1917.....	10.94	2.25	10.57	9.5	26.60	.37
1918.....	10.77	2.22	10.43	10.1	28.28	.34
1919.....	12.22	2.24	10.52	10.2	28.56	1.70
1920.....	10.02	2.23	10.48	12.0	33.60	1.46
1921.....	6.87	1.25	5.87	10.3	28.84	1.00
1922.....	6.30	1.14	5.35	9.6	26.88	.95
1923.....	5.48	1.02	4.79	9.7	27.16	.69
1924.....	7.62	1.58	7.42	9.8	27.44	.20
1925.....	8.34	1.59	7.47	9.9	27.72	.87
1926.....	7.55	1.42	6.67	9.9	27.72	.88

¹ Loss.

Agricultural Department advises the farmer receives 1.4 cents for the wheat that goes into a loaf of bread.

Over a period of five years on an investment of \$43,889,911.12, they show earnings of \$63,303,403.93, and in addition to this increased their investment \$22,083,936, which added together give us a total of \$85,387,339.93, which is nearly 200 per cent on the investment at the beginning of the period.

Table showing profits during 5-year period of the war by 37 flour-milling companies in certain parts of country

Year	37 companies		Northwestern group		Southwestern group		Eastern group	
	Investment	Per cent of profit	Investment	Per cent of profit	Investment	Per cent of profit	Investment	Per cent of profit
1913-14.....	\$43,687,911.12	12.6	\$26,671,525.22	13.8	\$6,293,539.56	11.3	\$10,722,846.34	10.5
1914-15.....	45,830,752.49	17.2	27,843,276.69	19.4	5,954,412.73	20.9	11,033,063.07	9.1
1915-16.....	48,248,643.87	13.1	29,520,392.40	15.7	7,807,301.72	12.5	10,920,949.75	6.5
1916-17.....	55,382,957.48	38.4	34,673,062.86	44.7	9,293,918.23	34.2	11,415,976.39	22.8
1917-18.....	65,771,847.33	34.1	41,321,145.44	32.7	11,794,511.56	42.6	12,656,190.33	20.8

I have here an editorial from the Washington Post of this morning. I send it to the desk and I ask that it may be read into the Record.

The PRESIDING OFFICER (Mr. Goff in the chair). Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

[From the Washington Post, Wednesday, February 9, 1927]

THE McNARY-HAUGEN BILL

The Senate has agreed to vote on the McNary-Haugen bill on Friday afternoon.

That is the opportunity for independent and conscientious Senators to strike down one of the most vicious proposals ever laid before Congress.

Senators can help to restore the confidence of the people in the Senate by voting down this class legislation.

Some Senators are at heart opposed to this bill, but are inclined to vote for it through fear of the "agricultural vote." Others do not understand the bill and may vote for it because of the insistence of its sponsors and their statement that Mr. Coolidge now favors it.

There is no reason why any Senator should be afraid of the farm vote. The majority of farmers are opposed to the McNary-Haugen bill. They are learning that it is the invention of politicians who are trying to "farm the farmers."

No Senator should be misled into thinking that President Coolidge favors the McNary-Haugen bill. He does not. If passed, he will veto it. But Congress should not act the coward by passing the bill and then looking to the President to do his duty.

The opposition to this bill is not based upon antagonism to the farmers. No one wishes to see agriculture suffer. The amount carried by the bill, \$250,000,000, is but a fraction of what the Nation would gladly vote for farm relief if the people could be sure that the money would be devoted to actual farm relief and accomplish the purpose desired.

It is because the McNary-Haugen bill sets up a bureaucracy in Washington to boost the cost of living for all, the benefit of the few, that it is opposed.

The McNary-Haugen bill, if enacted, would not be merely a temporary evil. It would be a burning sore, arraying one class of Americans against another class, and stirring up hate and reprisals. It would tend to transform this Government by placing it upon the false foundation of class favoritism instead of a square deal for all. Two kinds of Americans would be created by this bill, one kind paying tribute to the other.

Absolute control of the people's bread would be placed in the hands of a bureau in Washington, to manipulate as the bureau saw fit. This bureau would not be the Government, but a supergovernment, not amenable to the President or Congress. It could gamble in wheat, corn, hogs, cotton, tobacco, and any other crop which it might declare to be "staple."

In its essence and spirit the bill violates the Constitution. But it would be poor work on the part of Senators who doubt its constitutionality to vote for it and go through the long and costly process of having it nullified by the courts. Why subject the people to this irritating, unjust, and expensive experiment?

Senators who have the interest of the United States at heart, including the interest of agriculture, will not sacrifice their self-respect and independence by voting for this bill merely to curry favor with the mythical "farm vote."

The politicians who have banded together to jam this bill through Congress have no regard for the public welfare. The public welfare rests in the hands of Congress. It is for Senators to stand between the people and these marauders.

Mr. GOODING. Mr. President, every morning for breakfast for some time now we have had a bitter attack by the Washington Post on the McNary-Haugen bill. The only real raid on the Treasury of the United States that this country has ever known has been made by the great newspapers of the country, which enjoy the second-class mail privileges. Last year the Government carried the second-class mail at a loss of \$83,498,228.89. That vast amount represents the subsidy, if you please, which is paid by the Government to the great newspapers and all those using the mails for second-class matter. This has been going on for more than a quarter of a century, and yet the great newspapers which are crying out to destroy an opportunity for the farmers to market their own products in an orderly and intelligent manner are now asking for legislation which means an additional increase of \$8,000,000 in the postal deficit on second-class matter if the bill shall pass which is now before Congress, making a loss every year of something more than \$91,000,000 to the Government. Every honest man ought to be willing to pay the Government the cost of the service rendered, whether it is through the mail or any other way; every honest journalist ought to be willing to do that; but they are going to drive down the throats of the American people another piece of legislation, as they have done in the past, which will give them a still greater subsidy in the future.

than they have previously had; and I anticipate they will continue increasing their subsidy so far as carrying second-class mail matter is concerned.

Now, Mr. President, I wish to say one word about the Curtis-Aswell bill. The farmers of America are not asking for it at all. It is a dangerous piece of legislation. It undertakes to help cooperative marketing. Practically every cooperative marketing organization of this country has made a failure. I have belonged to marketing organizations which have failed. They must all fail. There is no chance for them, because only a few of the farmers who produce a given agricultural product become members of such organizations. It is impossible for cooperative marketing organizations to carry the load. It has been so in the past and will be so in the future. The pending bill brings in every farmer to help carry the load; the farmer pays in proportion to the benefit that he is going to receive. Unless we can get an organization in America that is going to distribute the load among all the farmers who produce a surplus of farm products, it must fail. All cooperative associations have failed or are on the brink of bankruptcy to-day. To that rule there are but few exceptions. The wheat growers tried to organize and market their wheat crops, but it was a failure, and they lost millions of dollars. Unless we can devise a means here to make possible the bringing into such organization all of the farmers paying tribute for the cost of marketing, there is no legislation which we can pass that will help the American farmer. Unless we are going to do something to bring about orderly marketing so that it will be followed up by orderly production, unless we can grow less cotton and less wheat, there is not much that we can do for the cotton growers or the wheat growers. If we can bring about orderly marketing, orderly production will follow. That is why the American farmer is asking for the McNary-Haugen bill. If there shall be any losses, he is willing to pay them; he does not want the Government to pay any part of them; and he is willing to take out of his labor a fund to meet any losses which may be incurred in the marketing of his farm products.

Mr. WHEELER obtained the floor.

Mr. NYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	George	McMaster	Sheppard
Bleuse	Gillett	McNary	Smith
Borah	Goff	Means	Smoot
Bratton	Gooding	Metcalfe	Stock
Bruce	Hale	Moses	Stewart
Cameron	Harrell	Necly	Trammell
Capper	Harris	Norris	Tyson
Caraway	Harrison	Nye	Wadsworth
Couzens	Hawes	Odell	Walsh, Mass.
Curtis	Heflin	Overman	Walsh, Mont.
Denen	Johnson	Pepper	Warren
Dill	Jones, Wash.	Pittman	Watson
Ferris	Keyes	Ransdell	Wheeler
Fess	La Follette	Reed, Pa.	Willis
Fletcher	Lenroot	Robinson, Ind.	
Frazier	McKellar	Sackett	

Mr. PEPPER. I desire to announce that the Senator from Virginia [Mr. GLASS] and the Senator from Colorado [Mr. PHIPPS] are in attendance upon the Committee on Naval Affairs.

The PRESIDING OFFICER. Sixty-two Senators having answered to their names, a quorum is present.

WIDENING OF NICHOLS AVENUE

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4727) to provide for the widening of Nichols Avenue between Good Hope Road and S Street SE., in the District of Columbia, which were, on page 3, line 11, to strike out all after the word "the," where it appears the first time, down to and including the word "as" in line 19; and on page 3, line 21, after the word "Columbia," to insert "that the money necessary to carry out this act that is in the Treasury not otherwise appropriated is hereby authorized to be appropriated."

Mr. CAPPER. Mr. President, will the Senator from Montana yield to me?

Mr. WHEELER. I yield.

Mr. CAPPER. I move that the Senate agree to the amendments of the House.

Mr. SMOOT. Mr. President, I should like to have some explanation of the amendments. I can not tell anything about what is proposed to be done from the reading.

Mr. CAPPER. The amendments made by the House are not of any importance at all. I have submitted them to the District Commissioners, and they say that they are entirely favorable to the amendments.

Mr. SMOOT. Can the Senator state the substance of the amendments?

Mr. CAPPER. The report that the District Commissioners make to me is that the bill as amended will serve the purpose desired. It will simply mean, they say, that possibly it will be necessary later to get a deficiency appropriation.

CHANGE OF REFERENCE

Mr. LA FOLLETTE. Mr. President, while this conference is going on, will the Senator from Montana yield to me for a moment?

Mr. WHEELER. I yield.

Mr. LA FOLLETTE. I ask unanimous consent that Order of Business 1302, House bill 13494, may be recommitted to the Committee on Indian Affairs.

Mr. BRATTON. Mr. President, will the Senator from Wisconsin state the nature of the bill to which he refers?

Mr. LA FOLLETTE. It is a bill to permit the department to bring employees in the field to Washington. There are some parties who desire to be heard upon it, and when the chairman of the committee was conferred with he said he had no objection to its being recommitted to the committee in order that a hearing may be held upon it.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. WHEELER. Mr. President, I think I shall have to refuse to yield longer to the Senators who are holding a conference.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16249) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARBOUR, Mr. CLAGUE, Mr. DICKINSON of Iowa, Mr. JOHNSON of Kentucky, and Mr. HARRISON were appointed managers on the part of the House at the conference.

The message also respectfully called the attention of the Senate to certain remarks of the Senator from Delaware [Mr. BAYARD], found in the proceedings of the Senate for February 8, 1927, with the request that action be taken by the Senate to eliminate such remarks from the RECORD as are in violation of proper parliamentary practice and the proper comity existing between the two Houses.

WAR DEPARTMENT APPROPRIATIONS

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 16249) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1928, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WADSWORTH. I move that the Senate insist on its amendments, accede to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. WADSWORTH, Mr. JONES of Washington, Mr. REED of Pennsylvania, Mr. FLETCHER, and Mr. HARRIS conferees on the part of the Senate.

FARM RELIEF

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4808) to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities.

Mr. WHEELER. Mr. President, it is apparent to everyone in this Chamber that the McNary-Haugen bill, which is now before us for consideration, is about to pass this body by a substantial majority; and, if I am reliably informed, it will likewise pass the other branch of Congress.

It has been said that the bill is an attempt upon the part of the farm organizations and those who favor its passage to sovietize the United States. In other words, the impression is attempted to be created that this bill had its origin in Moscow, and that by some devious methods the Bolsheviks in Russia are extending their sphere of influence first to the poor little Nicaraguan Republic, then to Mexico, and now to the farm organizations and to the Senate of the United States.

If the President signs the bill notwithstanding his well-known bitter opposition to it, as expressed by Mr. Mellon and Mr. Hoover, who are apparently the agricultural experts of this administration—and, I might add, the Washington Post—he himself may be subjected to the same charge. But lest he be unduly criticized for his action, I deem it important that a brief review of the rocky road this bill has had to travel be made a matter of record.

It is apparent to every thoughtful person throughout the land that agriculture is in a depressed condition, and that this condition has prevailed ever since the World War. It is and has been costing more to produce food than the producer obtained as a result of his labor. The cattle men, the hog men, the cotton men, and the grain men have been getting poorer and poorer. The more they produced, the poorer they became. Hundreds of thousands of farmers, especially in the Middle West and West, have been driven from their farms into the already overcrowded industrial centers, and thousands forced into bankruptcy after finding themselves so hopelessly involved financially that there was no prospect of their ever meeting their obligations. No one who has not been among the farmers of the West can possibly hope to get an accurate picture of the suffering of thousands of these farmers. I have witnessed it in the Northwest. First the farmers suffered, then the merchant, and later the small banker, who found himself loaded up with frozen assets, was forced to close his doors and unable to pay the depositors, many of whom could ill afford to lose their all.

It was with this situation in mind that I approached the subject of farm relief at the last session of Congress, and again to-day.

There are undoubtedly imperfections in this bill. It will not, in all probability, work a millennium for the farmer; but the farm organizations of the country have employed some of the best economists to work out a plan of relief. They have presented it to Congress and asked its passage. We have unhesitatingly passed legislation for the relief of the manufacturers, for the relief of the railroads, for the relief of the bankers, and unblushingly passed legislation for the relief of a few bondholders and stockholders of the Cape Cod Canal Co.

We permit the railroads to draft their bills, the manufacturers to draft theirs, the bankers to draft theirs. Why, may I ask, do we deplore the fact that the farmers come here asking special legislation for themselves? Of course, if it works, it will raise the price the farmer gets for his products. It may permit our surplus farm products to be sold cheaper abroad than at home; but so does the tariff.

It is an experiment; and as long as we are committed to a protective tariff—legislation which, in my humble judgment, is economically unsound—we must expect to pass other legislation to help meet a situation thus created. It was the high protectionist who created the situation. It is the high protectionist who does not want to pay the price of his own folly.

In the closing hours of the first session of this Congress I introduced a resolution (S. Res. 269) touching upon certain phases of this administration's activity in agricultural matters. I have not called it up for consideration for the reason that there has not been time in this short session for full consideration of the subject.

On November 16 and 17 there was held in St. Louis a momentous meeting of farm organizations from the grain and livestock producing sections and from a number of the Southern States, where cotton and rice predominate. The declaration of principles adopted by that meeting is a most important one. It deals with the agricultural question from a broad national viewpoint, and recognizes no partisan or political lines. I ask that the resolution be inserted in the Record.

[See exhibits.]

You will note that the purpose of my resolution was commended, and, further, that those organizations urged that the scope of it be broadened to include an investigation of the various forces which have been moving toward the subordination of agriculture.

I have given the subject of their resolution careful study, and intend to go into the matter in much greater detail on some future occasion. I desire to present here evidence showing some of the influences which have not only worked to prevent the passage of any farm relief but have sought to subvert this Government from a free democracy to an industrial state dominated by an oligarchy of industrial and financial leaders.

The facts before me suggest that forces masking as helpful agencies have in reality sought to subjugate the farmer as the first step toward complete industrialization of this Nation and its Government. Behind closed doors they have stated in their councils that in the history of all countries there has come a time when the interests of industry and agriculture clashed, and that inevitably agriculture had to be sacrificed to industry. This of necessity will have the effect of reducing the farmer to the status of a peasant.

Discussing this trend, the executive committee of the North Central States Agricultural Conference sent out a remarkable statement of the situation, under date of October 8, 1926, which I now present and ask to be printed as an exhibit to my remarks.

The PRESIDING OFFICER (Mr. ODDIE in the chair). Is there objection? The Chair hears none, and it is so ordered.

[See exhibits.]

Mr. WHEELER. Mr. President, at this time I will read a few salient paragraphs from that statement, as follows:

Our national policy as it relates to agriculture does not fit present conditions. But instead of statesmen who can see its failure, we have at the head of administrative affairs of the Nation many men who are aggressively pushing a program of favoritism to industry that will not only continue but must inevitably increase the disadvantage, not only of the farmers' position, but the position of all those great sections of the United States which are primarily agricultural. * * *

The sound policy for America must aim toward the development of a well-balanced national life, careful that its effect be not to stimulate any one form of productive effort at the expense of other equally essential producers. * * *

If the Hoover-Mellon policy of expanding industrial exports, no matter at what cost to other groups, means anything at all it means the definite submergence of agriculture. These men and their policies say in substance that American farmers must provide food and raw material for American industry and labor at prices no higher than foreign manufacturers and labor pay. Why? In order that American industry may export manufactured goods in competition with Europe. * * *

Mellon and Hoover are regarded as the spokesmen for the policy makers of the present administration. Hoover is the administration's agricultural adviser. Jardine is hardly in a position to oppose him. * * *

It has been repeatedly pointed out that these men stand for the industrialization of America at the expense of agriculture.

I now refer you to the startling address on June 14, 1926, of the former chairman of the Committee on Agriculture and Forestry, Senator NORRIS, in which he pointed out certain secret and sinister influences which during the last two administrations had hampered and hindered the Committee on Agriculture of the Senate and the Senate itself in its effort to render justice to agriculture. I have made excerpts of pertinent parts of Senator NORRIS's address, which I ask to be printed in the Record as an exhibit to my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

[See exhibits.]

Mr. WHEELER. Mr. President, in that remarkable speech Senator NORRIS gave a graphic and sensational summary of the influences that had defeated farm legislation in the Senate since the World War. In carefully phrased statements he included in the list of opposing agencies two administrations of the Federal Government, the late President Harding, President Coolidge—first as Vice President and later as President—Secretary of Agriculture Jardine, Secretary of Commerce Hoover, "all the middlemen in the country, and the great corporations and moneyed interests."

He related in detail an unfair legislative procedure by the then Vice President Coolidge by which an important agricultural bill lost its place on the calendar in the closing days of a session of Congress.

He recalled the unprecedented action of Vice President Coolidge in violating the long-settled practice and traditions of the Senate in appointing the Senate members of the Joint Commission of Agricultural Inquiry, leaving off the Agricultural Committee's chairman and ranking Republican and Democratic members for the obvious reason that they were known to favor energetic aid for agriculture.

He told how that joint commission, half of it appointed by Vice President Coolidge, failed to give attention to the one vital farm problem it was appointed to consider and how at a later date the chairman of the commission, Mr. Sydney Anderson, appeared before Congress as a paid lobbyist of the grain or milling interests against agricultural legislation.

He told how the first McNary-Haugen bill was defeated by having—

all the power and all the influence of the executive department of the Government against it.

He sketched the history of the appointment of President Coolidge's agricultural committee in the fall of 1924, of its preliminary reports on collateral issues and its promise to report later on vital issues; of its unexplained dissolution without further report; of the domination of the committee by the President of the United States to a degree that prevented its members from declaring their opinions on the work of the committee.

He placed in the Record a copy of a letter written by a member of the committee which contained the startling and significant statement that the committee had accomplished nothing for agriculture, and that the writer had not tried to do anything

because, "having been appointed by the President," he felt it to be his duty "to do nothing or say nothing which might embarrass him," and that he must carry out the President's wishes.

Senator NORRIS related and put in the RECORD written evidence purporting to show a secret agreement between the President of the United States and the Secretaries of Agriculture and Commerce with the officials of an influential farm organization binding the farm organization in advance to oppose legislation which might be presented to deal with a vital agricultural problem, the particular farm leaders having made the secret compact without the knowledge of their constituents.

He reiterated over and over again the charge that throughout his term as chairman of the Senate Committee on Agriculture and Forestry the weight of administration influence, the "powers that be," "the political forces in control," had all been exerted to the utmost to defeat effective legislation for agriculture, and that this organized political power has worked hand in hand with "the middlemen, the great corporations, and the moneyed interests" of the country, and he might have added United States Chamber of Commerce and the American Bankers' Association.

These same influences are now at work in this city against the pending bill. I shall refer briefly to some evidences of their activity.

The United States Chamber of Commerce was led in its fight against former agricultural bills by the leading American grain exporter, Julius Barnes, who was then its president. Yesterday J. W. O'Leary, now president of the chamber of commerce, issued a statement condemning agricultural legislation as embodied in the pending bill and urging the passage of the McFadden-Pepper banking bill.

Let me digress here long enough to say that while the United States Chamber of Commerce is coming to Congress at this session urging a banking relief bill in the same breath it is asking us to deny to the farmers of this country any relief. I, for one, intend to oppose and to hold up the consideration of the bank relief bill, if it is possible to do so, until the farm relief bill shall be passed by both Houses of Congress and signed by the President of the United States.

Mr. O'Leary's statement was quoted in Washington papers of yesterday as saying:

McNary-Haugen bill: The chamber opposes this measure. The organizations in its membership have repeatedly declared against any proposal for buying, selling, manufacturing, or other handling of agricultural products by Government agencies, whether under the pretense of the exertion of price influence or otherwise. The opposition is expressed as contrary to the principles for which the chamber has stood with respect to other fields of activity, and the membership has declared that legislation of the type of the McNary-Haugen bill, if enacted, will be sure to result disastrously for agriculture itself and thus bring great detriment to all branches of industry and commerce.

I wonder when the Chamber of Commerce of the United States became so interested in agriculture that they were afraid that the passage of this bill might ruin the agricultural industry itself.

I quote further from Mr. O'Leary:

The bill which has recently been reported from committee is in every substantial way the bill which was defeated earlier in this Congress; it was considered at length on its merits. This defeated bill has been revived, and efforts are being made to pass it through Congress regardless of its merits and in consequence of bargains.

I would like to ask Mr. O'Leary, as president of the United States Chamber of Commerce, what bargains have been made. I realize that statements have been given out to the press to the effect that there was some bargain between the farmers' organization and the bankers, but in that connection permit me to say that, so far as I know, no bargains have been made on the part of those advocating farm relief to support any banking bill such as that particularly which has been presented to Congress at this session.

Regarding the McFadden-Pepper banking bill, President O'Leary said in his statement:

The chamber supports this measure as a result of expression of its organization members through referendum. The bill enlarges the powers of national banks and extends the charters of Federal reserve banks. This measure has been considered at length upon its merits, and it has passed through all the legislative stages until it remains only for the Senate to act upon a conference report. The action should be pro forma.

In other words, Mr. O'Leary wants the Senate of the United States to act pro forma upon the bank relief bill, but denounces Senators who seek to have a farm relief bill passed.

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Mr. O'Leary stated that the position of the chamber of commerce has been taken through referendum to its member organizations. I charge that no referendum was ever taken on the pending agricultural bill. I assert that this statement of Mr. O'Leary does not correctly interpret the sentiment of the associations of commerce in agricultural States, and to support my assertion I refer you to the numerous resolutions that have been passed by such bodies in the West and South asking for this legislation.

In this connection I might add that the chamber of commerce in the city of Helena, Mont., the capital of our State, recently passed resolutions in favor of the McNary-Haugen bill.

I refer particularly to the resolution adopted on January 20, 1927, at Chicago, by the northern central division of the Chamber of Commerce of the United States, which read:

The northern central division, and one of the world's largest and richest farming regions, are almost coterminous. Here is the country's granary and a granary upon which world markets draw. Here are resources which are utilized for the production of meats, and the products which go with them, on a scale never before known. The dairy herds give results in a great commerce which spreads to all parts of the country and overseas. Agriculture has a large and vital part in the welfare of every portion of this division.

The recognition which the chamber has given to agriculture is accordingly most earnestly welcomed by us. The declarations of the chamber that, nationally, agricultural interests and industrial and commercial interests are interdependent, that upon branches of agriculture there has fallen misfortune which commands the cooperation of business interests, and that agricultural activity is entitled to the same opportunities for success as other kinds of American effort we have cordially received.

We believe, however, that the chamber should go further and seek means to prevent abundant harvests from being disastrous to farmers, to those who are associated with them, and to the whole country. Bountiful yields in return for effort in agriculture should bring prosperity and not distress, and should add to the Nation's wealth instead of being a menace to the general welfare.

To prevent an abundant yield in primary branches of agriculture from having consequences opposite to those which should follow it is necessary to find a solution for the problem caused by production of surpluses over the quantities which can be utilized within our own country to devise means to prevent such surpluses from disorganizing the domestic market for which our agriculture predominately produces and in which it should receive its compensation according to our domestic standards.

To the solution of this problem the northern central division asks the chamber to give every assistance in its power. The position of agriculture in our own markets should be protected from conditions over which agriculture itself has no control, as well as from every kind of unfair competition in those markets. Every form of enterprise in this division, agricultural or otherwise, has its greatest opportunity in home markets. Equality of opportunity requires that American agriculture, in common with industry and labor, should have the safeguards which will permit the broadest possible development of its American markets, to the end that it may receive the full value of the products which it supplies to those markets.

Entertaining these views, we ask the chamber to urge the enactment of legislation by Congress which will aid in orderly marketing and in the control and disposing of the surplus of agricultural commodities.

The president of the American Bankers' Association, Mr. Melvin A. Taylor, of Chicago, attacked the pending legislation in a formal statement published in the patent insides of Ohio newspapers last month. The attitude of the small country bankers who support this legislation is not reflected by the great city banks for the reason that the effect of agricultural distress has not yet carried that far back in our financial structure. Another evidence of this is seen in the bulletin of the National City Bank of New York of February, 1927, which devotes eight pages to an attack on the pending bill.

I wish the Senators would contrast this attitude of the great city and international bankers with that of the American Federation of Labor, shown by the statement of President William R. Green, who said:

Labor is not prepared to suggest a remedy for the agricultural ills which exist. The farmers must know from experience what is necessary and what ought to be done.

Migration from the farms to the cities will eventually result in the displacement of many workers, and we fear it may bring about a lowering of the living wage standards of the industrial workers.

I now want to refer briefly to the powerful work in this city of the grain dealers' associations and boards of trade against this bill. How the grain dealers operated against a former bill

was frankly admitted by Secretary Quinn, of the National Grain Dealers' Association, who is quoted in Price Current Grain Reporter as saying in a speech at Denver, Colo., in February, 1925:

There are not more than 15,000 to 16,000 grain dealers in this country, but there are 7,000,000 farmers besides the farmers' wives, and the politicians are always going where the votes are.

When the McNary-Haugen bill was introduced a canvass of the House showed enough votes to pass it, with 95 to spare. The National Grain Dealers' Association got busy, grain men gave freely of their time, and we had from 5 to 15 men in Washington all through the danger period. We met in the morning and each man was assigned to see certain Congressmen. In the evening each man reported the results of his interview.

Before the vote was called every Congressman had been thoroughly canvassed and we estimated that we had the bill beaten by a vote of 75. The following day's returns showed that it was beaten by 73.

That is what an association can do.

Many bills to help the farmers are now before Congress, but there is only one that is really dangerous and that it is necessary to beat.

Think of this startling admission of the grain dealers, showing that they came down here and, while the bill was about to pass by a majority of 75, they, by constantly and daily bringing pressure to bear upon Congressmen, were able finally to defeat the bill by a majority of 73. Why were they able to do it? It was because of the fact that they were organized and came down here, living at Washington hotels, working upon the Congressmen, and bringing pressure to bear upon them, while the farmers of the country were back upon their farms without an organization to urge the Congressmen who were wavering to stand by their guns and support legislation favorable to the farmer.

I am told that this same organization is at work to-day in the same way. I am told also that the lobby of the Chicago Board of Trade is at work here advising its members how to exert their influence toward the defeat of this bill. During the last week in January, I am informed, a former president of the Chicago Board of Trade, L. F. Gates, writing to members of the board in Chicago, advised them that if the pending bill is to be defeated, it must be through pressure brought on Members of the House of Representatives. I am informed that this same letter urged the substitution of the Curtis-Crisp bill for the McNary-Haugen bill in the House of Representatives as the best procedure to defeat farm legislation.

These are only a few of the forces that are at work to defeat this bill. Further recital is unnecessary. I am happy to say that this time, in my judgment, they are going to be unsuccessful.

It has been charged by able lawyers on the floor of the Senate that certain portions of the bill are unconstitutional. While I confess there is some doubt in my mind upon this subject, yet in a crisis such as confronts the American farmer and all America I am willing to resolve the doubt in favor of the farmers who through their organizations present this bill drafted and defended by able constitutional lawyers.

This is particularly so in view of the notorious fact that our Supreme Court on more than one occasion has seen fit to change front as to the constitutionality of important legislation—notably the income tax law.

It has been likewise charged that the bill is economically unsound. I confess I am not quite clear as to what these self-asserted economists mean by this statement. If they mean that it interferes with the free and untrammelled exchange of commodities, then I am willing to agree with them. But why, may I ask, should any high protectionist object upon that score? That is exactly what a tariff does, whether it be a protective tariff or one for revenue only.

Thirdly, the charge is made that the bill is unworkable. Under conditions in the executive departments of our Government as they now exist, I admit that this is the most serious objection to the bill.

I believe the bill is workable placed in the hands of executives who are sympathetic to its aims and purposes and who do not believe that agriculture must be subverted to industry in order to bring about a healthy and prosperous Nation.

This is the dividing line between the two schools of thought. Unfortunately for the proponents of this bill, if it becomes a law, it immediately falls into the hands of executives who are not only unsympathetic with its aims and purpose but who have bitterly fought the bill from its inception.

They represent, however much they may camouflage their economic ideas with meaningless phrases for campaign purposes, those who believe it is necessary to submerge agriculture to industry in order to have cheaper food supplies and lower wages that they may compete in the world markets for their manufactured articles.

I shall not go into a detailed discussion of this matter here at this time, but I commend to the Senate a careful reading of the bulletin of the North Central States Agricultural Conference of October 8, 1926, to which I have previously referred. This article covers the economic phases of the situation ably and in some detail.

At this point I ask permission to have printed in the Record a resolution adopted at the eighth annual convention of the Indiana Farm Bureau November 23, 1926. I likewise desire to have inserted in the Record a resolution which was passed by the Minnesota Farm Bureau Federation of January 20, 1927.

The PRESIDING OFFICER (Mr. SACKETT in the chair). Without objection, it is so ordered.

[See exhibits.]

Mr. WHEELER. Now, I desire to point out some of the strange high lights I have found in delving into the records which account for the growing apprehension of the farm organizations. Why, I asked myself, did these organizations ask President Coolidge in July, 1924, to direct the Secretary of Agriculture, Mr. Wallace, to appoint a commission "to study the situation and needs of agriculture," and by telegraph withdraw that request in October and thenceforward fight the battle for agriculture without the aid of the President?

It will be noted that they asked the President to direct the then Secretary of Agriculture, Mr. Wallace, to take some steps looking toward the betterment of agriculture, because of the fact that they had confidence in Mr. Wallace. Instead of the President directing the Secretary of Agriculture, Mr. Coolidge notified them that he would appoint a committee. The record shows it was because the President had announced that he would appoint a committee himself, and his delay in doing so, caused them to fear the influence of Hoover.

It was known by farm leaders and others that from the early years of the Harding administration and throughout the Coolidge administration, and until his death Secretary Wallace was saddened by the fact that the President deferred to Hoover for his agricultural policy. During the last illness of Secretary Wallace he wrote an official letter, transmitting to the farm organization evidences extending over a period of three years, which made farm leaders gravely apprehensive for the future of agriculture under the influence of this administration. These leaders knew of the attempts made to transfer to the Department of Commerce from the Department of Agriculture all supervision of marketing of the farmers' products, conclusive evidence of which appears in the hearings of the Committee on Agriculture. I now quote from the record Mr. Hoover's own words:

Broadly speaking, the function of the Department of Agriculture relating to soil production should end when the grain, fruit, or animal moves from the farm and the tree moves from the forest, and the Department of Commerce should take up its activities when manufacture, transportation, and distribution begin. * * *

The Department of Agriculture should tell the farmer what he can best produce, based on soil, climatic, and other cultural conditions, and the Department of Commerce should tell him how best to dispose of it. * * *

Based upon this construction of the law, it will be seen that the function of the Department of Agriculture should end when production on the farm is complete and movement therefrom starts, and that there the activities of the Department of Commerce should begin.

The record clearly discloses the Hoover influence in the extraordinary committee appointed by President Coolidge in 1924, to which Senator Norris referred.

This committee named by President Coolidge issued a few platitudes on freight rates and credit and a recommendation on cooperative marketing clearly traceable to Secretary Hoover. It served its purpose by introducing confusion in Congress on the subject of farm relief.

The committee promised to take up the real vital problem of agricultural inequality and report on it to Congress. "We will have something worked out by the next Congress," Chairman Carey promised. But they were disbanded and were never permitted to reassemble. The individuals who prevented them from doing any real work were the same as would be charged with setting up and starting the machinery under this bill. I repeat, the bill itself would work, but I am fearful of the forces which, under this administration, would be in charge of its organization.

Secretary Jardine would have important duties under this bill.

It is important to know what are the forces that named and still influence Secretary Jardine. From the press reports and from other circumstances which are matters of common knowledge among Members of the Senate it is apparent that William M. Jardine was appointed Secretary of Agriculture through the influence of Secretary Hoover. It was charged that his ap-

pointment was with the distinct understanding that he would remove certain subordinate officials in the Department of Agriculture and would support and carry out the agricultural policy of Secretary Hoover.

Now for the sequel. In due time Secretary Jardine caused to be removed from office Dr. H. C. Taylor, Chief of the Bureau of Agricultural Economics, and Mr. Charles J. Brand, consulting specialist in marketing. Messrs. Taylor and Brand had supported the agricultural policy of their late chief, Secretary Wallace, and had opposed the agricultural policy of Mr. Hoover, Secretary of Commerce.

The Secretary of Agriculture became not the representative and champion of American farmers but the representative and spokesman of the Secretary of Commerce.

The facts I have presented involve not merely the welfare of American agriculture, but the policy of Congress and of government. I have shown on the authority of the distinguished former chairman of the Senate Committee on Agriculture that powerful business and political influences have for a long time hampered and interfered with the work of that committee and of the Senate in their efforts to extend relief to agriculture. I have shown how one executive department of the Government created to serve industrial and commercial interests has sought to control, and does largely control, another department of government created to serve agriculture. This usurpation has for its purpose the use of the power of government to bring about the subordination of agriculture to industry. This, I submit, is in clear defiance of the power of Congress as the policy-making branch of the Government. It shows a condition that makes one genuinely apprehensive as to the manner of administration of this measure when it becomes law.

Notwithstanding the unfriendly attitude of the present executive branches of our Government to the aims and purposes of this bill—to their avowed purpose to submerge agriculture to industry, the doubt that exists in the mind of many Senators as to whether under such circumstances the will of Congress will be effectively carried out and notwithstanding the conflicting opinions of able lawyers in this body as to the constitutionality of some of the provisions of the bill—I am constrained to the belief that it is the plain duty of every Senator who desires to see our agricultural population prosper along with industry to support this bill.

We must see to it as far as it is humanly possible as national legislators that there be no industrial peasant class in America and likewise no agricultural peasant as has existed and still exists in Europe to-day.

EXHIBITS

A PROGRAM OF THE SOUTH AND WEST—FARM REPRESENTATIVES AT ST. LOUIS ISSUE DECLARATION OF PRINCIPLES

The following declaration of principles was adopted by the representatives of farm organizations of the South and West at the St. Louis meeting on November 16 and 17:

COOPERATION BETWEEN MID WEST, SOUTH, AND WEST

The States of the Middle West, West, and South are predominantly agricultural, and they have common economic interests which justify and should bring about unity of thought and action. We are gratified over the progress that was made during the last winter in bringing together the cotton growers of the South, the wheat growers of the West, and the corn and meat producers of the North Central States in support of a joint legislative program in Congress. We express the earnest hope that this conference will cement the relationships already established and promote continued unity of thought and action in behalf of a national program for American agriculture. We extend cordial greetings to the farmers of the East and express confidence in their hearty cooperation in carrying out the purposes herein suggested.

CITIES DEPEND UPON AGRICULTURE

Great cities have developed throughout the agricultural regions of the United States for no other reason than to serve a great agricultural population, whose combined life and prosperity are essential if these cities are to live. A semblance of urban prosperity may result from the period of farm depression, accompanied by high city wages, which drains wealth from the country to the city; but its continuance is only temporary, and eventually these cities will rise or fall with the country upon which they depend. We appeal for recognition of this harmony of interests in a conscious program which will unite city and country back of projects to secure the common economic interests of the agricultural sections of the country.

EXODUS FROM FARMS THREATENS LABOR

In this connection we desire to warn the leaders of American labor that the ever-increasing drift of hundreds of thousands of farm workers to the cities may sooner or later produce a demoralizing oversupply of labor, and therefore if our workmen would make secure their present generous standard of living they should do everything in their power to

bring about a return of a condition of wholesome contentment on the farm. Not only does the collapse of agriculture menace the security of labor, but it should be apparent to all thinking men that we can not hope to maintain our industries in full-time operation unless the purchasing power of the 35,000,000 people who live upon the farms is restored at an early date.

SUPPORT OF OTHER INTERESTS ASKED

We solicit the support of organized commerce, finance, industry, and labor in securing a fair national policy for agriculture; however, we look with disfavor upon any movement of business organizations to initiate an agricultural program independently of farmers' organizations.

CONTROL OF SURPLUS

As a practical and immediate move to secure for agriculture a just and proper share of the national income and a position of equality with other industries in our national economy, we favor legislation that will enable farmers to control and manage excess supplies of crops at their own expense, so as to secure cost of production with a reasonable profit. We assert our conviction that such legislation must function through and foster cooperative marketing.

VARIABLE YIELDS AND PRICES

While acreage cost of production of farm products is fairly constant from year to year, the prices received by farmers frequently vary as much as 50 per cent from one year to the next. No business can be stable and prosperous in which basic costs are fixed and prices vary as prices of agricultural products vary. The same acreage may produce widely different yields in different years; hence certainty of yield can not be attained, even by control of acreage. Weather, plant diseases, and insect pests will continue to influence volume of production in spite of all that man can do.

Any production program that would avert surplus production in normal years would bring scarcity to the point of famine in bad crop years. The alternation of extremely low and unduly high prices resulting from unavoidable variations in yields is harmful alike to producers and consumers. It upsets orderly production programs of farmers, interferes with normal consumption, increases risks and costs of marketing, and subjects producers and consumers to the hazards of speculation. Wise management of surpluses will tend to stabilize prices for producers and insure adequate and dependable supplies for consumers.

APPROVE GOVERNOR LOWDEN'S PROPOSALS

We believe that the principles and methods advocated by Governor Lowden in his address to this conference for the stabilization of basic products of agriculture if enacted into law would go far toward the solution of the problem of agricultural surpluses; they strike at the problem that is present in the chief farm products of the Mid West, South, and West; they would provide means for the producers to adjust supply to demand in their markets at fair and stable prices; they would broaden the basis of our national prosperity by restoring the purchasing power of agriculture, and we urge that their enactment should be the united aim of men from all sections who are conscious of the gravity of the agricultural situation and seek a way in which to meet it.

WELCOME CONSTRUCTIVE AID

We welcome the constructive aid of all thoughtful men in perfecting these principles and making them effective through legislation, but we deprecate the spirit of criticism and faultfinding which is barren of workable proposals.

THE COTTON CRISIS

We deplore the disastrous decline in the price of cotton to a point far below the cost of production. We attribute this disaster not to reckless overproduction but to lack of adequate means of handling the temporarily unneeded part of the crop in ways that would make it a blessing to the world and not a curse to cotton farmers. The world needs and will use profitably every bale of cotton produced this year, the excess above immediate needs being only a reasonable insurance against a short crop in future years. We place the responsibility for present conditions upon those who defeated the bill in the last session of Congress which would have provided a Federal farm board with ample powers and funds to anticipate and provide for the removal of the excess supply from the market and carry it until there is need for it at profitable prices.

PERMANENT PROGRAM FOR COTTON

We believe that the present collapse of the cotton market emphasizes a need for the further development of cooperative marketing by cotton farmers and for legislation which will strengthen their ability to carry on orderly marketing and make possible the carrying over of the surplus from years of large production to years of small production and assessing the cost ratably against all the products.

The plan of the President's cotton commission can not equitably distribute the cost and hazard of removing 4,000,000 bales of cotton to all the growers of cotton, but imposes the entire cost on a limited number of growers who may participate in the holding movement.

Under no circumstances can the plan amount to more than a temporary expedient to meet the crisis occasioned by the present large crop. It will not work out a sound and permanent national policy respecting cotton, resulting in price stabilization to both the producer, the manufacturer, and the consumer of cotton which sound public policy and the public welfare imperatively demand.

POLITICAL PLATFORMS

We direct attention to the fact that the two major political parties, through their platforms and candidates of 1924, specifically pledged themselves to take every step necessary to secure for agriculture economic equality with other groups in our national life. The leadership of both parties during the first session of the Sixty-ninth Congress repudiated these platform pledges and pursued a legislative course that proved they did not regard them seriously. If our political parties are not trustworthy agents of government through which to record the public mind on legislative policies, then the people will find other means inside and outside such parties to accomplish necessary reforms.

CONGRESSIONAL BLOCS

The Congress of the United States has been influenced and controlled since the formation of our Government through bipartisan combinations within Congress whose members have held loyalty to an economic interest above party ties. This Nation has accepted and grown accustomed to financial blocs, commercial blocs, industrial blocs, and other groups formed to control legislative action. Therefore we resent the implication that agriculture introduced a new element in legislation when Senators and Representatives from farm districts in both parties began to work together to protect the interests of their States. Furthermore, we believe that such organization among Senators and Representatives from agricultural States and districts has never been as effective or as thoroughgoing as the situation demanded. The farmers of the United States have a right to expect them now to organize themselves into an aggressive and effective unit, regardless of party, to express and work for the economic interests of agriculture in the coming session of Congress.

FARM AND FOREIGN DEBTS

Since the close of the World War, many of the leading statesmen of Europe have insisted in all seriousness that unless the United States consents to the cancellation of the debts of our erstwhile allies, the economic security of Europe will be seriously menaced, if not rendered impossible. If they are correct in this view that the required repayment of honorable debts of some \$11,000,000,000 in a half century or more of time will seriously menace the future economic security of Europe, then what of the future economic security of the American farmer, who is at this hour staggering under a farm debt of more than \$12,000,000,000?

INTEREST OF CONSUMERS

We believe that stability in the agricultural price levels and adequate farm production, such as in the long run will only be assured by fair prices, are important in the interest of consumers as well as producers. Development of nation-wide cooperative marketing associations will follow the adoption of an effective plan to stabilize agriculture, provided such a plan does not impose upon members alone of such cooperative association the entire expense of managing crop surpluses. These agencies will lower marketing costs between the farmer and consumer. The consumer will receive much of the saving in all cases and most of it in some.

THE TARIFF

We favor the removal or modification of unfair and excessive tariff duties that now afford shelter for price-fixing monopolies. It is idle to refer to manufactured articles on the free list as benefiting the farmer when materials entering into their manufacture are highly and excessively protected. Therefore, we urge immediate reduction on such basic materials as aluminum, steel, and chemicals.

We recommend to farmers' organizations that they make a special study of the effects on agriculture of industrial tariffs and also of the effects of our change from debtor to creditor nation, and especially of its effects on the accumulation of our agricultural surpluses.

Our "tariff primers" have taught us that the farmer would get his reward through the demand created by the high purchasing power of prosperous industrial classes. We demand that the farmer be given the opportunity to promote the national prosperity by his own increased purchasing power through increased prices.

APPRECIATION OF SUPPORT

We commend those fair-minded Members of Congress, regardless of party, who worked and voted for effective agricultural legislation, and pledge them our active support. The welfare of agriculture is more important than the welfare of individuals or of any political party.

FARM LEADERSHIP

We appeal to the farmers of the United States to ascertain the attitude and performance of their farm-organization leaders in respect

to this national farm policy, and to hold such leaders strictly accountable to their responsibility of interpreting fairly the interest and opinions of their members.

MEETING OF CONGRESSIONAL COMMITTEES

In order that such farm legislation as is to be considered in the short session of the Sixty-ninth Congress may be in the hands of Congress and the public at the opening of the session, we respectfully recommend that the agricultural committees of the Senate and House meet at once for its study and preparation.

CONGRESSIONAL INVESTIGATION

We distrust those interrelations which appear to give to industrial advisors, who are not without self-interest as dealers or speculators in farm products, the deciding voice not only in influencing the enactment of agricultural legislation, but in determining the manner of administration of such laws after enactment.

We believe that a public understanding of such relations would be valuable and that a thorough investigation would be unfair to no interest or individual; therefore we commend the purpose of Senate Resolution 269, by Senator WHEELER, and urge that it be broadened to include an investigation of the various forces which have been moving toward the subordination of agriculture. We suggest the following as additional lines for such investigation:

(a) The activities of the Department of Commerce to dominate and encroach upon the functions of the Department of Agriculture, including interferences in the personnel of such department.

(b) The source of the opposition toward effective agricultural legislation described by Senator GEORGE W. NORRIS, chairman of the Committee on Agriculture, in his speech to the Senate, June 14, 1926.

(c) The speculative manipulation of the grain markets and the circumstances surrounding the restoration of gambling in "puts and calls" by the Chicago Board of Trade.

CONFIDENCE IN FARM-RELIEF LEADERS

We express our appreciation of the men who initiated and have for three years carried forward the movement for farm-relief legislation, and have labored so zealously and effectively to arouse Congress and the country to a realization of the true condition of American agriculture and of the imperative need for remedial legislation.

NO SECTIONALISM NOR PARTISANSHIP

In conclusion, we express our gratification over the spirit of unity and harmony which has been dominant in this conference. It is not only gratifying, but highly significant, that representative farmers and farm organization leaders from the great agricultural regions of the Middle West, West, and South have come to know through the discussions and associations of this conference that agriculture in all these sections is faced by the same problems and that the only hope for relief lies in united efforts. It is worthy of formal recognition and record in this statement that no differences of opinion or interest respecting agricultural conditions, problems, or remedies have appeared among the farmers or farm organizations participating in this conference. This should be heartening to farmers everywhere, and inspire renewed hope that the days of division and weakness are to be succeeded by unity and strength, which will regain for agriculture its just share in our national prosperity and its rightful place of equality with other great industries in our national economy.

The proceedings of this conference furnish eloquent proof that the farmers of the United States recognize no sectional lines, no political differences, no commodity rivalry in planning for future cooperation.

[Bulletin No. 17]

NORTH CENTRAL STATES AGRICULTURAL CONFERENCE, CHICAGO, ILL.,
OCTOBER 8, 1926

I

Our national policy as it relates to agriculture does not fit present conditions. But instead of statesmen who can see its failure we have at the head of administrative affairs of the Nation many men who are aggressively pushing a program of favoritism to industry that will not only continue but must inevitably increase the disadvantage not only of the farmers' position but the position of all those great sections of the United States which are primarily agricultural.

The need is for men whose vision and statesmanship can deal with this crisis in a way fair to American agriculture and to the rest of our people. Instead we have many national leaders who not only condone existing inequalities but are coolly developing a program that will demand yet further sacrifices from agriculture.

We need to develop a national consciousness of this situation—an understanding that will lead to solidarity in pressing for a policy to build up instead of tear down the basic industry of the Nation. This must inevitably project its force into political as well as economic fields, although it should be kept entirely apart from influences of partisan politics. It should lead to the selection of Representatives in Congress from the Middle West, West, and South who, regardless of

party, realize that their duty lies, first, to the economic interest of their constituents, and secondly, to political parties.

Now, before election, is the time for candidates from agricultural States to be made to understand this. It may be said that this is a sectional stand. If so, it has been forced upon us by the sectional position already taken by the industrial East. The need is for men in Congress who have vision enough to see the problem and, having seen it, to rise above the crack of the party whip in working courageously for its solution.

II

The sound policy for America must aim toward the development of a well-balanced national life, careful that its effect be not to stimulate any one form of productive effort at the expense of other equally essential producers.

Laws and governmental institutions and sanctions may be general in their form but may work out inequitably in practice because of differences inherent in the groups affected by them. In such a case it is not enough to say, "The provisions of the system of which you complain are general; if you can not secure the advantages from it that others take for themselves the fault is yours." If the end itself is sound—equality among the essential productive industries—then the laws and institutions through which the policy operates should be altered or added to whenever necessary to secure it.

When a surplus agricultural production was necessary to repay foreign investors in the United States and to buy what we must import, our national policy of expanding agriculture upon an export basis worked admirably. When our greatest national test came it was our surplus agricultural production that fed the Allies and decided the issue of the World War. But the international balance shifted as a result of the war. We have the gold. The rest of the world owes us. These facts inevitably limit the volume of exports, both industrial and agricultural, from the United States. Our wheat, corn, pork, cotton, and sometimes beef can bring the farmers only the price which foreign buyers will pay for what is left after the domestic need is satisfied. This condition is crucifying agriculture. It is directly due to our past policy of agricultural expansion, and to the development of the American protective system which keeps farm costs on a high domestic plane while farm prices remain relatively low, due to the influences of world competition.

Every thinking man realizes this condition. The farm debt has more than trebled and the actual exchange value of farm lands has declined 20 per cent during the past 15 years. There is continuing in this country on a vast scale a redistribution of wealth away from the farms into the cities—from those who have produced it to those who have not.

III

If the Hoover-Mellon policy of expanding industrial exports, no matter at what cost, to other groups means anything at all, it means the definite submergence of agriculture. These men and their policies say, in substance, that American farmers must provide the food and raw material for American industry and labor at prices no higher than foreign manufacturers and labor pay. Why? In order that American industry may export manufactured goods in competition with Europe.

In other words, Hoover and Mellon, and all they stand for, are pushing as America's new policy toward agriculture the proposition that it is the American farmer's duty and place to produce and sell here at home just as cheaply as does the Russian peasant and the South American peon in Europe.

Their aim is to develop the capacity of the United States to compete for world markets with industrial exports. They suggest that to make this possible the American farmer must provide the basic materials on the same level as the foreign industrialists are supplied. They hope the American farmer can do this and maintain his standard of living by superior and increasing efficiency in production and distribution. If he can not, that is his hard luck; no matter what happens to him he must make it possible for our industrial exports to continue.

To apply this same reasoning to labor would mean that the American wage scales should be brought down to foreign levels; it is precisely equivalent to a demand for foreign price levels in the United States, but only upon products of the farm.

Such a policy prefers an export market for manufacturers, made possible by sacrificing agriculture, to an improved domestic market made more prosperous by the extension of the American protective system to include the farmers.

IV

The Hoover-Mellon doctrine is dangerous. Its vicious effect on agriculture needs no further demonstration. But it is equally unwise and short-sighted as a policy for our industry and commerce.

The buying power of the farm population of America is incalculably more important to our manufacturers as a whole, even including those who manufacture for sale abroad, than an export market. The Nation's economic position in the world does not require or even sanction stimulated industrial exports.

This is true of the Nation as a whole. For the Middle West, West, and South the case is even more overwhelming. Their direct interest in

industrial export trade is infinitesimal; their interest in agriculture's buying power is everything. There are some manufacturers in these districts who export some of their goods; but give them the choice between their export sales and a sustained home market built on agricultural prosperity and they could not hesitate for a moment.

The 1923 census of manufacturers placed the total value of all manufactured goods that year at \$60,558,000,000; the Department of Commerce reports the value of the manufactured exports as \$2,625,000,000. Only 4.3 per cent of our manufactures exported, and yet our policy makers gloat over that 4.3 per cent as if it were of more consequence in our economic welfare than the prosperity of 30,000,000 American farm consumers.

In considering the importance of our exports it must be remembered that between 40 and 50 per cent of them come from the farm. In 1925 farm products and their manufactures accounted for 47 per cent of the total exports. Of the nonagricultural exports, the following commodities lead in order: Mineral oils, automobiles and parts, machinery, copper and manufactures, iron and steel, coal and coke, lumber, and agricultural machinery. None of the scattering remainder in the classification reaches 2 per cent of the total. Of those enumerated, how many are there in the United States and in the Middle West, West, and South particularly to whom an industrial export market is of more importance than a sustained farm market based on farm prosperity here at home?

Let Mr. Hoover and Mr. Mellon answer.

V

Mellon and Hoover are regarded as the spokesmen for the policy makers of the present administration. Hoover is the administration's agricultural adviser. Jardine is hardly in a position to oppose him.

The Department of Commerce policy to expand industrial exports is too generally known to require elaboration here. Two or three years ago Mr. Hoover held, and on occasion publicly suggested, that the American farmers ought to get out of the export markets—presumably in order to make room for the manufacturers—and reduce their production to the needs of the domestic market. It is reported that more recently he has backed up on that opinion or, at least, will not sanction its publication as coming from him.

Congressman FORT, of New Jersey, a former associate of Mr. Hoover, was Hoover's spokesman in the House of the Sixty-ninth Congress. The two speeches he delivered against the Haugen bill were currently understood in Washington to have been prepared in the Department of Commerce.

Mr. FORT said, May 4, 1926 (CONGRESSIONAL RECORD):

"Our labor in America is going to buy bread on a basis, at least, 47 cents a bushel higher for wheat than British labor and German labor and French and Canadian labor. We are going to cheapen the cost of production of foreign-made articles by selling foodstuffs cheaper to foreign labor than we sell them to our own. * * *

"You are going to make it cheaper for the foreign competitor of American labor to live, but you are going to make it cost more for the American laborer to live; and, therefore, the cost of production to the American manufacturer must go up, while the foreign cost goes down, and his world market is lost."

Senator FESS, of Ohio, was generally regarded as the administration's agricultural spokesman in the Senate. In a speech in the Senate on June 9, 1926, he said:

"Mr. President, I do not propose to vote for any measure that will feed at a lower cost the producer of competitive articles that come in competition with American production."

The same note was struck by Mr. Mellon in his official letter of June 14, 1926, in which he said:

"Foreign consumers * * * under the proposed plan will secure American commodities at prices below the American level. European labor could purchase American products at a lower price and could live more cheaply than American labor. Foreign industrial costs would be lowered and the foreign competitor assisted in underselling American products abroad and in our home market."

It has been repeatedly pointed out that these men stand for the industrialization of America at the expense of agriculture.

VI

In our international position, the volume of export business which we can maintain is limited by—

- (a) Our ownership of half of the world's gold supply.
- (b) Foreign governments' debts to us.
- (c) Our increasing capital investments abroad.
- (d) Our tariff policy of restricting imports.

Under such strict limitations anything which expands our industrial exports makes it increasingly difficult to market our farm surpluses abroad. Our farm surpluses are the results of past and continuing Government policies. The farm business can not expand and contract its output or regulate its production in the way industry can.

The reflex advantage of industrial activity to certain important branches of our agriculture is a doubtful one as long as the price at which the American laborers take our farm products is the price at which they can be sold abroad. After the commodity leaves the farm it is of little practical interest to the farmer whether the laborer who

eats it lives in New England or Lancashire, as long as he gets the same price for it in each instance.

The farmers' interest in maintaining price levels in this country comes also from a different quarter. Their indebtedness has mounted from about \$1,000,000,000 in 1910 to over \$12,000,000,000 in 1925—a staggering sum, vastly greater than the original foreign debt to the United States. If the farmers are ever going to pay that debt, it must be with commodities as high in dollar value as when the debt was incurred—or as near to that figure as possible. To reduce the dollar value of other goods and services might raise the exchange value of farm crops; but if the price level for all commodities, including agricultural, were thereby lowered and held down, the debt-paying power of the farmer would be immeasurably damaged.

VII

Secretary Jardine said (August 25, Long Island, N. Y.):

"The swing of the pendulum in agriculture is now toward the East. There are more opportunities for farmers in New England and Long Island to-day than in the West."

The Secretary is mistaken. It is not a pendulum, but a lever. It isn't the swing of natural forces, but the compulsion of an artificial national program that fixes it. Several conscious national policies account for the fact that agricultural distress pressed less heavily in these industrial districts than in the Middle West, West, and South.

Our tariff policy tends to build up the industrial districts. To the degree that it promotes inequality in the exchange between the farm and the factory it tends to do so at the expense of farming districts.

The war concentrated the Nation's emergency business within a radius of relatively few miles of New York. Of the thousands of war contracts placed in the early stages of the war nearly all were crowded into the East to such an extent that it became necessary for the War Industries Board to prohibit the placing of more business in that district. They were protected from loss when the war ended. It is apparent that the East is resisting the inevitable deflation of war-time facilities to peace-time requirements by attempting expansion of industrial exports regardless of the effect of such a policy upon the rest of the country.

Our transportation policy penalizes the South, West, and Middle West to build up the East. Think of a situation which requires manufacturers of Illinois to ship to the Pacific coast by way of Atlantic and Gulf ports!

Though farm conditions may be better in the industrial East than in the West, they are not such even there as to attract capital from other lines into agriculture.

VIII

Less than a month remains in which to secure a statement of the opinions and intentions of candidates for Congress on this program of equality for agriculture. The farmers of the United States—north, south, and west—should not support in office indefinitely men who think their responsibility ends when they vote for a particular measure. They need advocates who will permit no other duty to displace that to agriculture until the problem is solved.

[From the CONGRESSIONAL RECORD, June 14, 1926]

EXCERPTS FROM SENATOR GEORGE W. NORRIS'S ADDRESS

(Senator NORRIS was chairman of the Senate Committee on Agriculture and Forestry from 1921 to 1926)

Mr. NORRIS. Mr. President, I hope Senators will have patience with me and pardon me if I undertake to give a short history of the activities, particularly of the Agricultural Committee of the Senate, in reference to farm legislation since the close of the Great War.

The Committee on Agriculture had various propositions submitted to it, hundreds of them. They went into very extended hearings and finally reported a bill, a bill which had been introduced by me, in the preparation of which I had the assistance of many persons in different parts of the country, notably Mr. Carl Vrooman, of Illinois, who had been Assistant Secretary of Agriculture under President Wilson.

That bill set up a great middleman, a governmental corporation, financed with Government funds. It was given every power that any individual could have in the handling of farm products and in their distribution and sale. One of the evils noted then, one well recognized now, was and is that it cost too much to distribute food products to the American people.

While behind that bill I think were enough supporters in the Senate to pass it, it had nevertheless very serious opposition. All the middlemen in the country—and that means a good deal—and the great corporations and the moneyed interests were against it, perhaps for selfish reasons. Others were against it conscientiously because it, as they said, put the Government into business.

It was proposed at a time when we had farm products in larger amounts than we were able to consume, at a time when there were literally millions of people in Europe who were starving for the very products that we had in such abundance here. It would have required enormous financial strength to finance the operation as it was designed in that bill. We had practically a unanimous vote of the

committee in reporting the bill to the Senate. It excited the bitter opposition of the administration.

Mr. Harding was then our President, and I think he was as honest in his convictions in opposition as I was in support of it. We were then traveling a new road. We were trying to do something that had never been done before. We were getting out of the ordinary, and the bill by its terms was limited to a term of years. But the enormous power of the administration, connected with the power of the financial world, was too great and the bill was defeated.

As I go along giving the history which will culminate in the bill now before us I want to give some of the little incidents which happened to show the methods that were used, and I am going to give one here now, a small thing in itself. It was rumored and everybody knew that the administration was going to have a substitute for the bill. There was fear that the bill was going to pass. Nobody knew just where the substitute bill was, nobody knew just who was drawing it up, but it was generally understood that a substitute was nearly ready. When the bill was brought before the Senate and made the unfinished business and after it had been debated for some time, one day when the Committee on Agriculture and Forestry was in session, at about 11 o'clock in the forenoon, when the Senate was to meet at 12 o'clock, having recessed, that bill being the unfinished business and to come up immediately when the gavel fell, the former Senator from Minnesota, Mr. Kellogg, now Secretary of State, came into the committee room and announced in the hearing of the committee that he wanted a private consultation with the chairman. The members of the committee—and some of them are listening to me now—will remember that we suspended operations in order to comply with that request.

I went with Senator Kellogg to the back part of the committee room. Then he told me that at 12 o'clock, which was then less than an hour away, he was going to take the floor in the Senate and offer a substitute for the bill which the committee had before the Senate, and he felt that he ought to give me some notice of what he was going to do. Of course, that was unnecessary. It was just a matter of courtesy. But it happened that the senior Senator from Louisiana [Mr. RANSDELL] had told me before the committee met that day that he was going to speak on the bill and that he had already made arrangements with the Presiding Officer, the Vice President of the United States, Calvin Coolidge, that he would be immediately recognized when the Senate convened.

When the then Senator from Minnesota, Mr. Kellogg, gave me this information I told the Senator from Louisiana what was going to happen. Of course, the Senator from Minnesota could have offered the substitute at any other time. I never did know, and do not know now, why those in charge of it were so anxious that it should be offered at that particular moment. I told the Senator from Louisiana about it and said:

"Be on your feet. When the gavel falls be sure that you are addressing the Chair, so that you can be recognized according to the understanding that you had with Vice President Coolidge."

But when 12 o'clock came a Senator walked into the Chamber instead of the Vice President and called the Senate to order. I shall never forget, and I remember it distinctly, because I was watching every move then, having been warned. The gavel fell, and at the time it fell that Senator in the chair, without looking over the Chamber even, said, "The Senator from Minnesota," while the Senator from Louisiana was yelling himself hoarse crying "Mr. President," and the former Senator from Minnesota was sitting in his chair quietly, not knowing that any speed was necessary. He was recognized before he got to his feet and before he addressed the Chair.

I mention this in passing only to show the means that were used by the powerful influences to sidetrack that bill. There was no parliamentary advantage to be gained as far as I could see. That speech and motion to substitute the bill could have been made later in the day or the next day or any other day. There was no way under the rules of the Senate to prevent it being made. I do not know why they wanted to do it then, but that is the way they did it. The then Senator from Minnesota had scarcely got started in his speech, at the close of which he made the motion to substitute the bill, which then for the first time had seen the light of day, when the Vice President walked in and took the chair.

Mr. President, that bill was defeated by the substitute introduced by the former Senator from Minnesota. The substitute had some good things in it. It was better than nothing. I believe it accomplished some good. It was a means by which the farmer was enabled to get more money at a little less rate of interest. It did not strike the root of the evil. It made no attempt to remove the cause of the farmer's distress.

Mr. President, I do not remember now whether it was in the next Congress that the conference I am going to mention was held or not, but I want to give another circumstance in passing. There was a concurrent resolution introduced providing for an exhaustive investigation of the farm situation. It provided for the appointment of the committee—one-half by the President of the Senate, the Vice President, and

one-half by the Speaker of the House. The committee was given wide and almost unlimited authority and unlimited money to go into the question and find out what was wrong with agriculture, and to suggest to the Congress of the United States a remedy. That resolution was reported by the Committee on Agriculture and Forestry. It was not drafted there. It originated with the Farmer's Union, a national farm organization. It came to the floor of the Senate with a unanimous report of the committee. It passed the Senate and it passed the House. It became the duty of the Vice President, who is now the President, to appoint one-half of the members of that committee on behalf of the Senate.

It was generally believed by most Senators that, under the precedents of the Senate, which in such cases had very few exceptions and no exception except this one, when it came to the appointment of the Senate members of that joint committee, the members of the Committee on Agriculture and Forestry, according to their rank, would be selected. I know that some of my friends in the Senate, about the time the resolution passed the House, came to me with some propositions that ought to be investigated, with a sort of outline, and wanted to consult with me as to what should be done when the committee was formally appointed. When I reminded one of them that I was not on the committee and probably would not be appointed he expressed the utmost surprise. He said, "No presiding officer would dare violate the unwritten law of the Senate and go over the heads of the ranking members of the committee." If the Presiding Officer had followed the usual rule and appointed the members of that joint committee according to rank, he would have appointed the former Senator from Iowa, Mr. Kenyon, who was then a Member of the Senate, and the Senator from South Carolina [Mr. SMITH], who was the ranking Democrat on the committee, and myself, who at that time was chairman of the committee.

Every one of the three ranking members of the committee was omitted. There is no man in the Senate, there is no man in the United States, who doubted the fidelity, for instance, of the then Senator from Iowa, Mr. Kenyon, in his loyalty to the agricultural interests of the country. No Senator for a moment would put a question mark after the name of the Senator from South Carolina [Mr. SMITH], who had been a member of the Committee on Agriculture and Forestry for many years. His ability and his fidelity to the farming interests and his knowledge of agriculture, particularly as it related to cotton, is recognized and known not only here, but everywhere. He was eliminated. Mr. Coolidge had the right to eliminate him. I think he did it in good faith. He did not want men on that joint committee with the view and, perhaps, the force that those men had—men who were going to survey the entire field and report a remedy.

So much for that as another straw. The powers that be, the political forces that were in control, have never, in my judgment, been absolutely fair, according to my viewpoint, in meeting the agricultural situation.

Mr. President, what do we find further? Later on in the next Congress the Committee on Agriculture and Forestry again, after very extended hearings, brought in another bill. It was a modification of the one I have already described, making it that time a permanent proposition. Without wasting words or time to tell about it in detail, it met the same fate. Again it was confronted with the opposition of almost the combined wealth of the country and the political forces of the country in both the political parties. It had the opposition of the President, and again a substitute was offered, and again the substitute was of the same nature. It provided for the loaning of some more money at a cheap rate of interest to the farmer, and it failed.

Then, Mr. President, in the next Congress, after almost continuous hearings extending over several years, the committee again came in with a measure which at that time was known as the McNary-Haugen bill. For the first time in direct language it undertook to meet the question of a surplus, although by the powers contained in the other bill which were granted to a governmental corporation which was devised the same effect could probably have been had by the storage of nonperishable farm products in warehouses, which the corporation was entitled to buy or to rent or to build. That bill was not debated in the Senate because, as Senators know, when the Senate was about to consider the bill it was taken up in the House of Representatives, and was there defeated. That bill had all the power and all the influence of the executive department of the Government against it. It was defeated in the House, which made it unnecessary, as it was deemed by most of us, then to consider it in the Senate. That bill dealt directly with the surplus.

Now, I will go back. I do not remember just where I was, but I do not believe I had referred to what happened next in the way of a committee.

Mr. SMOOT. The Senator did not tell who was appointed on the committee.

Mr. NORRIS. I did not intend to tell who was appointed, because I had no objection to those who were appointed. It simply meant that Mr. Coolidge, who was Vice President, wanted to keep off that committee those who under the rules and precedents of the Senate naturally would have gone on the committee; and he felt that he was justified

in doing it, I presume. He never consulted me about it, but I assume that he did. At least he did not put on one of the three men who, under the rules and precedents of the Senate, so far as I know without exception, would have been put on.

Later on, when Mr. Coolidge became President, he appointed a commission to take up this same subject. The joint committee, half of which he appointed when he was Vice President, went on and held exhaustive hearings. It did a great deal of good work, but, as far as I can remember, nothing practical came out of it. Bills, such as I have outlined, that the committee had brought in here, received no favorable consideration at the hands of this committee; and let me pause right here to refer for a moment to the Member of the House of Representatives who was the chairman of that joint committee. He is a very able man, a friend of mine. I have not a thing in the world against him, but he does not agree with me at all on this proposition. He was put on that committee and was made chairman of it—Mr. Anderson, of Minnesota.

Incidentally, on the bill that is now on the desks of Senators he appeared before the committee and made an extended argument in opposition to the bill, and frankly stated that he appeared as the paid attorney of the millers of Minneapolis; and yet, only a few days ago we heard the cry made here that this bill that we brought in is a gold brick for the farmer and is coin for the millers of America; that it enables them to have a profit and have it guaranteed by the Government of the United States.

That charge was made by a Member of the Senate, who was a member of that commission, but he found that the man who presided over that commission, Mr. Anderson, representing the millers of the United States, opposed before the committee this very proposition. It does not look to me that we need argue any further that there is a "nigger in the woodpile" here in behalf of the millers. They know which side their bread is buttered on, and when they are able to employ a man like Hon. Sidney Anderson to come to Washington and appear before the Senate committee in opposition to this bill, you can make up your minds for sure that they are not favorable to the measure, and that there is nothing in it to them.

This agricultural question would not down, notwithstanding these commissions, notwithstanding these substitutes, notwithstanding the overthrow of the Agricultural Committee by the administration. It kept coming up. The farmer continued to lose money. Suffering became greater than ever. I remember sitting in the Committee on Agriculture and seeing newspapers brought in where whole pages were covered with advertisements of tax sales of farms in some of the agricultural regions of the West. Country banks supported mainly by agriculture were failing all through one of the greatest agricultural States of the Union by the hundreds, going down every day. So the question was discussed more or less in the national campaign, and Senators will remember what was said then. The pledge was made that if the Republican candidate was successful he would appoint a commission to study the problem. It had been studied by commissions, one commission, half of which he had himself appointed when he was Vice President, presiding over the Senate, as I have narrated. But he had an opportunity to redeem his pledge, and he redeemed it absolutely, because one of the first things he did was to appoint a commission to study this question. They studied it, and we did not get any more out of it than out of the other commissions which had studied it before. They always avoided the real thing. They would not have anybody on the commission who believed in the real thing. They would not meet the question of surplus.

Now, I am going to read to the Senate an extract from a letter which will make some disclosures about this commission, of which Secretary Jardine was a member. He was appointed Secretary of Agriculture soon afterwards. I am going to read an extract from a letter written by a member of that commission, which, after all, shows what all Senators know to be true, that, with some notable and worthy exceptions, a man appointed by the President on some body of that kind who has been more or less mixed up in a campaign, anyway, is not going to accept the appointment if he intends to do anything when he gets on the body contrary to the policy of the President who appoints him. That is really common knowledge, and there was no exception in this case. This is an extract from a letter written by a member of that commission. He said:

"Frankly, I can say that I am not at all pleased with the turn things have taken."

Remember, that commission met before Congress convened; they were in session some time and held a good many hearings, but never settled the farm-surplus question, and adjourned with an announcement that they were going to assemble and settle it afterwards, which they never did, and have not up to date. This letter was written in the latter part of the year 1925. It states:

"Frankly, I can say that I am not at all pleased with the turn things have taken. Neither am I satisfied that the agricultural conference has worked out a satisfactory solution of the agricultural problem. I have been placed in a most embarrassing position. First, having been appointed to the conference by the President, I feel it my duty to do nothing or say nothing which might embarrass him; further, that I

must carry out his wishes. The fact is that the President made a great mistake in selecting the members of the conference, in that he did not include representatives of certain groups which thought that they had a right to be represented."

Later on in the same letter he said:

"Secretary Jardine has been working to get these various elements together, but I fear the plan he proposes, to put the cooperative work in the Department of Agriculture, gets us right back to the place where we are now, where nothing will be done, as those in the department are not qualified to carry out this work. Personally, I have a very high regard for Secretary Jardine. We are good friends, and for this reason, if for no other, I would not want to put myself in a position to opposing him.

"After a conference which I had in Washington, both with the President and with the Secretary, I can not help but feel that further sessions of the conference would not be welcome, and about the only thing I could do was to get out as gracefully as possible."

Mr. SMOOT. Who is the signer of that letter?

Mr. NORRIS. I am not at liberty to say. He was a member of the conference.

Mr. SMOOT. The Senator thinks, however, that a man who would take that position never should have accepted a place on the conference?

Mr. NORRIS. I think so; yes.

Mr. SMOOT. Whoever he was, he made a mistake in accepting the place.

Mr. NORRIS. I rather think so. I think the mistake he made was in not standing out for the things in which he believed.

Mr. SMOOT. That is what I think, too.

Mr. NORRIS. He ought to have done that. But I mention that to show that these commissions—and I speak in no disrespectful sense—are, as a matter of fact, not practical.

Mr. WATSON. Who were the members of that commission?

Mr. NORRIS. I can not remember the names of them. Secretary Jardine was one member. They never met again, as we all know. They never solved the surplus problem or attempted to solve it, as far as making any recommendation was concerned.

Now, permit me to go a little further in this history. We come to this session of Congress.

Mr. NORRIS. Mr. President, if I may get back again to the chronological order of the history of this contemplated legislation, I believe I had reached the present session of Congress. Secretary Jardine was a member of the President's commission, and, of course, it is known and is no secret that he was opposed and that the President was opposed to legislation dealing with the surplus of farm products. I want to repeat, I am not criticizing either of them or anybody else for holding that view, but that was true. We have had the influence and do have the influence of the administration against legislation similar to that which is in the pending bill.

Now, it develops that quite a large farm organization had an agreement with the President and with Secretary Jardine and with Secretary Hoover that they would not ask for any legislation for the farmer at this session of Congress dealing with the surplus question, and that the only thing they would ask for was the cooperative bill that is now before the Senate, and of which the thing we refer to ordinarily as the bill is a proposed amendment of the committee. In other words, there was an agreement, about which the public knew nothing, between some alleged leaders of the farmers and the President and their two Secretaries that no legislation would be asked except this little bill about cooperative organization. The bill is harmless. It is before the Senate. I have no objection to it at all. The committee are unanimous that it can not do any harm and may do some good. But, Mr. President, it is a pink pill, and it is a mighty pale one, too. That is the legislation we were to get; that is the agreement that was made by some of these so-called leaders with the executive department that this is all that we should get.

Now, I read from a letter written by Mr. Aaron Sapiro, who was attorney for the national council of cooperative marketing associations. He wrote a letter to Mr. Peteet, who has an office in Washington and is well known to all the members of the Committee on Agriculture and Forestry—a very fine gentleman—who was secretary of this farm marketing association and who had been quite active in working for various propositions to help the farmer. It seems he had done something toward bringing about a sentiment in favor of legislation about the surplus, and Aaron Sapiro, the attorney of the institution, wrote to him. If Senators want to read the correspondence, they will find it in the CONGRESSIONAL RECORD of March 29, 1926. In the volume which I have here it begins on page 6502. I will read a few extracts:

"Last year the council went on record in opposition to all kinds of legislation dealing with marketing, except perhaps a kind of bill to set up a division in the Department of Agriculture such as we have recently indorsed."

Further on he said:

"We had given our word to the President and Secretary Jardine that we would support cooperative marketing legislation only, and that we are not going to support the so-called surplus legislation."

Further on in the same letter he said:

"I make this as a formal protest; and if you think it is unfair, I suggest that you send statements to Judge Bingham"—

Judge Bingham was president of this association at Louisville, Ky.—"Carl Williams, Governor Lowden, Kilgore, Norwood, and Moser, to whom I am sending copies of this letter."

Mr. SHIPSTEAD. Mr. President, may I ask the Senator from Nebraska who signed that letter?

Mr. NORRIS. Aaron Sapiro, who was the attorney of the National Council of Cooperative Marketing Associations. Sapiro wrote Peteet a long letter because of his activity in favor of farm legislation that included surplus in substance. He did not want him, as secretary of that association, to take any such part, because they had pledged the association that they would not do it.

Mr. SHIPSTEAD. According to that letter, this man who was attorney for the farm organization seemed to be very anxious to prevent any legislation for the farmer that would have more than one-half of 1 per cent kick in it.

Mr. NORRIS. Of course, that is a conclusion the Senator can justifiably draw from the letter. At least he was opposed to any legislation that dealt with the surplus.

Mr. SHIPSTEAD. He may have had some friends who wanted to handle that for themselves.

Mr. McKELLAR. Mr. President will the Senator yield?

Mr. NORRIS. Certainly.

Mr. McKELLAR. I just want to ask the Senator, if President Coolidge and Secretary Jardine were in favor of the Haugen bill, does the Senator doubt for a moment that it would receive the approval of Congress in a very short time?

Mr. NORRIS. Not for a moment.

I was not quite through with this correspondence. I have read from a letter written by the attorney. I am going to read now from a telegram by the president of that association, Judge Bingham, of Louisville, Ky. When he heard about this matter he took a hand in it and wired Mr. Peteet on the 7th day of January last, as follows:

"I am astonished and shocked to learn that you have been presenting some plan dealing with legislation affecting the so-called surplus to officials of other organizations, to Government officials, and to Members of Congress. You knew that the national council, in whose employ you are, had specifically gone on record against all kinds of legislation dealing with marketing except just such a bill as has already been presented as the administration measure. In addition, you are fully informed of the fact that representing the national council I had taken that position with the President and with the Secretaries of Agriculture and Commerce. I am wiring to-day to the President and to these two Secretaries repudiating your activities so far as the national council is concerned. You owe it to the council and to me personally to remove as far as you can the impression of bad faith on the part of the council and myself which your unauthorized and unwarranted activities have created.

"R. W. BINGHAM."

That correspondence, not only what I have read but the entire correspondence, was given to the public by me when I read it in the Senate on the 29th day of March, 1926, and up to date I have not had any denial from any of those parties as to the truth of it, although Mr. Peteet, the secretary, has been in the committee room and appeared before the Committee on Agriculture and Forestry on other matters.

Mr. SHIPSTEAD. Was the last letter from Mr. Bingham to Mr. Peteet?

Mr. NORRIS. It was a telegram from Mr. Bingham to Mr. Peteet. These are some of the questions with which the Committee on Agriculture and Forestry had been contending on the farm proposition. I do not criticize the man who says the committee is wrong. But we have had that powerful influence against us all the time and we have it yet in reference to the pending bill. We may just as well face it. There are no opponents but those who have a right to be opponents. What I am trying to do is to bring them out into the open. It seems there was a meeting between the officials of this farm organization who, when they appear before the committee, say, "We represent 600,000 farmers"—a secret meeting by which it was agreed between them and the President of the United States and the Secretary of Agriculture and the Secretary of Commerce that there would be no legislation dealing with surplus asked for on the part of the farmers. They had a right to do that. I admit that. They had a right to tell the President that. They had a right to have that kind of a conference with those two Secretaries. But they ought to have done it in the sunlight of publicity and they ought to stand out before the world and do it instead of doing it secretly.

I have been condemned because I printed in the RECORD of March 29 this correspondence, which they never intended should see the light of day. I only want the truth to be told. I think the country ought to know, even if we do not want to know, just how this fight has been waged, who has been in it, where the contestants are, and where the power is placed, and where the influence is urged.

But, Mr. President, notwithstanding that the farmers all over the country met and organized, they repudiated their leaders. If Senators will read the hearings they will see that in several instances I called the attention of witnesses who appeared before the committee to this very correspondence. They represented various farm organizations, some of which were members of this council. I asked, "Why is it; though you seem to be on record against this legislation, you are appearing for it?" And, without an exception, wherever there was any claim of authority they repudiated it entirely and completely.

Let me proceed a little further with this history. The condition of the farmers grew worse. It became so bad that manufacturers, bankers, and professional men of all kinds began to realize that there was a farm problem. They began to see that the fundamental industry of all others was being undermined and was failing; that it was not making enough money to pay its way. Honest, patriotic men in all walks of life began to realize that that meant, if carried to its ultimate conclusion, the failure of our civilization, for, Mr. President, if one will think of it for a moment he can reach no other conclusion than that should the basic industry of all others go down, civilization such as we have, governments such as we enjoy, would not long stand; it would be an impossibility. Men on the farms who are educated and whose wives and children are educated—and we would not have it otherwise—will not submit to become peasants; they will not stand always idly by and permit the remainder of the country to live in prosperity while they are toiling and working and sweating and suffering the losses, for conditions have come to such a pass that the farmer's children are denied what for your children and for mine we regard as the necessities of life.

All lines of human endeavor began to realize the condition, and so there sprang up over the West, the place where progressive ideas are born, organizations not only of farmers but of lawyers, of bankers, other professional men, and of business men. They said, "We are all in the same boat after all; we are all together; and if agriculture fails the whole country fails. We want to do something to save it." So they organized.

Mr. NORRIS. Mr. President, we have reached now an interesting phase of this history, when the farmers of the West and the business men of the West presented a united front, or as near united as I have ever seen in all my service on the Agricultural Committee in regard to any proposition; and yet they realized that they were undertaking here something in the way of legislation that would be shocking to some of the people of other sections of the country, and that their representatives in the Senate and in the House could not expect to obtain a majority in favor of this legislation unless some assistance came.

These representatives decided—and I think they were perfectly justified; I think they did exactly the right thing, although some people will disagree and say they did not—that the place to get recruits for this bill was in the South. They decided—and I believe as fervently as I believe anything on earth that it is true—that the great West and the great South, so often grappling each other by the throat, ought to be friendly and united and present a united front. Their problems are much the same, their difficulties are almost identical, and yet so often they are fighting each other to the bitter death. These men said, "The cotton farmers of the South ought to be with the cattlemen and the hog men and the corn men and the wheat men of the West," so they undertook to get them.

So these representatives, after they had gone all over it, after they had conferred with the representatives from the West, after they had had conferences with various Members of Congress in the committee room and in my office, and had gone over it with everybody from whom they could get any information and talked with experts about it, reached the conclusion that this legislation was right in the main.

Mr. President, the trouble with all of our people all over the country, it seems to me—great newspapers, great magazine writers, Senators, statesmen, Presidents, and Cabinet members—is that while they admit the difficulty, admit the trouble, admit the injustice that the farmer is suffering, they suggest no remedy, and they kick everybody else's remedy when it is suggested.

Resolution unanimously adopted by the eighth annual convention, Indiana Farm Bureau Federation, Indianapolis, Ind., November 23, 1926

We regret that Dr. William M. Jardine, Secretary of Agriculture, has seen fit to oppose and obstruct all farm legislation demanded by farmers for surplus control, and that his idea of the solution of this problem is to force more credit upon an industry which needs the ability to repay its present obligations instead of additional means of getting in debt. We are bitterly disappointed that he has taken the viewpoint of the Industrial East instead of the viewpoint of the agricultural West and South in dealing with the agricultural situation in the United States. Under his administration, the United States Department of Agriculture has ceased to be a coordinate branch of our Federal Government. It is dominated by and is subordinated to the Department of

Commerce, and the Secretary of Agriculture is head of his department in name only. The historic policy of our Government has been to foster agriculture, the basic industrial of all, even in prosperous periods, and the Jardine policy is a double indignity because of the calamitous economic conditions now surrounding agriculture which call for constructive leadership. This is a national scandal of the first order, calling for searching congressional investigation as contemplated in the Wheeler resolution now pending in the United States Senate.

Doctor Jardine's unfitness for Secretary of Agriculture is further demonstrated by his action in sending a Federal employee to Europe to "study peasantry in order to apply in this country the methods used there"; by his indorsement before a congressional committee of the Odorous and defunct Grain Marketing Co.; by his reference before a New York audience to farmers as a "pack of wolves"; by his numerous broken promises to support farm legislation of a kind determined by the farmers; and by his support of the notorious Fess-Tincher bill, which was a flimsy political excuse offered for the solution of an important problem.

MINNESOTA FARM BUREAU

1. National Legislation: The depression in agriculture which first visited the wheat and corn belts now covers the entire Nation. The accumulative effect of the reduction of the purchasing power of farm products over a period of more than six years makes the situation in agriculture generally, as well as industries dependent upon it, even more acute to-day than any time heretofore. No business has presented itself to Congress for solution during the past 50 years of greater importance nor of greater need for immediate correction than the pending agricultural crisis. The Minnesota Farm Bureau Federation was the first organization to tackle this problem, to study its underlying causes, and to present a constructive program for its solution. At the annual meeting of this organization four years ago principles were enunciated and a definite policy and program for the solution adopted. This plan of relief has been embodied in the well-known McNary-Haugen bill for agricultural relief, and after four years of continued suffering and patient waiting we still find the McNary-Haugen bill the center of thought throughout the land, with unified demand for its adoption by Congress. We regret and deplore this long delay and the failure of Congress to act in giving our people the only solution which will solve their problems. We demand of Congress speedy action.

The McNary-Haugen bill now pending in Congress embodies the principles vital and necessary to restore and maintain equality to agriculture. We heartily and unanimously rededicate ourselves and our efforts to this method and plan of solving our greatest national problem.

The principles which we hold as fundamental are: First, a Federal agricultural board, nominated and selected by the farm organizations, and the creation of an export corporation thereunder; second, the segregation of the exportable surplus of all farm commodities and the collection of an equalization fee on each commodity affected. These fundamental principles are now accepted as indispensable to any farm relief worthy of the name.

With equal unanimity and solemnity we oppose the Curtis-Crisp bill, also pending in Congress, and which we feel has been introduced largely, if not solely, for the purpose of dividing our people on true agricultural relief and is a substitution of gesture for principles, of words for policies, and promises for realities. After careful consideration and study we find the Curtis-Crisp bill simply creates a political instead of a real Federal farm board and is not designed to take care of the exportable surplus, nor intended to make the tariff effective or even to influence the domestic price upward of farm commodities consumed in the highly protected, stabilized American market where the farmer purchases all of his necessities. This bill makes no provision for maintaining a domestic price above the world price and will be wholly ineffective and afford no remedy or relief whatever to the producers of corn, wheat, cattle, hogs, cotton, and other major crops of this country. This bill also gives to the United States Department of Agriculture further control over the farmers and will hinder and prevent the operation instead of fostering and promoting the cooperative movement and the benefits thereunder. We therefore call upon all our people, not only in this State, the midwest section of the country, but throughout our whole land, to oppose this or any other substitute for the McNary-Haugen bill, and we ask leaders in all activities in agriculture or otherwise to champion this cause for the common welfare to the end that the same be speedily rejected and by the same token and united effort the McNary-Haugen bill be enacted into law without further delay.

We extend our thanks and appreciation to our Congressmen and Senators who in the past have supported the McNary-Haugen bill, but especially to those of Minnesota who have been and are fighting for our cause and supporting this measure, and we deplore that any representative in a lawmaking body, for flimsy excuses or local contentions, refuses to join in this support.

We congratulate and extend our thanks to the members of the present legislature and to his excellency the governor of our State for the adoption of the concurrent resolution memorializing Congress to enact legislation to restore and maintain equality to agriculture and

their approval of the underlying principles and provisions of the present McNary-Haugen bill, and in return to our friends for the support of these fundamental principles both in our State and National Capitals and elsewhere we here highly resolve to rededicate our individual and organized efforts for the furtherance of this cause and the forever establishment and maintenance of equality to agriculture.

2. Jardine's policy a national scandal: We regret that Dr. William M. Jardine, Secretary of Agriculture, has seen fit to oppose and obstruct all farm legislation demanded by farmers for surplus control and that his idea of the solution of this problem is to force more credit upon any industry which needs the ability to repay its present obligations instead of additional means of getting into debt. We are bitterly disappointed that he has taken the viewpoint of the industrial East instead of the viewpoint of the agricultural West and South in dealing with the agricultural situation in the United States. Under his administration the United States Department of Agriculture has ceased to be a coordinate branch of our Federal Government. It is dominated by and is subordinated to the Department of Commerce, and the Secretary of Agriculture is head of his department in name only. The historic policy of our Government has been to foster agriculture, the basic industry of all, even in prosperous periods, and the Jardine policy is a double indignity because of the calamitous economic conditions now surrounding agriculture which call for constructive leadership. This is a national scandal of the first order, calling for a searching congressional investigation as contemplated in the Wheeler resolution now pending in the United States Senate. Doctor Jardine's unfitness for Secretary of Agriculture is further demonstrated by his action in sending a Federal employee to Europe to "study peasantry in order to apply in this country the methods used there"; by his reference before a New York audience to farmers as a "pack of wolves"; by his numerous broken promises to support farm legislation of a kind determined by farmers; and by his support of the notorious Fess-Tincher bill, which was a flimsy political excuse offered for the solution of an important problem.

Mr. COPELAND. Mr. President, happiness is the most elusive thing in the world, but I doubt if there can be happiness in any home where there is economic distress.

For a long time I have thought we should have an economic conference, a world-wide conference, in order that the business men and the various industrial leaders of the world as well as those interested in agriculture and labor might sit down together around a table and discuss the problems having to do with the economic welfare of the world. For myself, I thoroughly approve the action of the President in recommending to the Congress that we should participate in an economic conference in Europe. I believe that if we might solve the economic difficulties of the world we would promote universal peace, well-being, and happiness.

What is true of the world, Mr. President, is true of any section of the world or any part of the world. Any group suffering economic distress must be an unhappy group, and there is no doubt that the farmer, particularly the one-crop farmer, is in economic distress.

The farmer, Mr. President, is the only man left who is working in the open field of competition. A long time ago the manufacturing industry learned that in order to compete with any degree of monetary satisfaction, competition must be eliminated. So the trusts and combinations came into existence. Pretty soon those trusts and combinations—for instance, the hatters of Danbury, competing with the hatters of Hartford and the hatters of the other sections of New England, found that the only way they could deal with their problem was by such a combination as I have mentioned.

It was not long, however, before the hatters of America, in spite of the combination they effected, found that they were competing with the hatters of Europe. By that time the trusts and combinations had grown powerful enough to control legislation. They came to Washington in force, and with their influence succeeded in having passed through Congress favoring legislation.

In that way the protective tariff system came into existence. Out of that system has grown up the method of increasing prices, placing burdens upon all those who buy the products of protected industries. It is excused on the ground that it is necessary there should be such a system in order that cheap labor in Europe might not make it impossible for manufacturers in the United States to compete.

However, Mr. President, who can doubt that a protective tariff law is economically unsound? It seeks to violate and does violate the law of supply and demand, a law which, if permitted to operate, would, perhaps, work havoc with industries in any given country, particularly in our country, but in the last analysis a protective tariff must be recognized as violative of economic law. So when I hear speakers in the Senate, or rather, should I say, when I read in the CONGRES-

SIONAL RECORD what speakers in the Senate have said, I read that they have pointed to the McNary-Haugen bill as fundamentally, economically unsound. So certainly is the protective tariff system economically unsound.

Then, Mr. President, we know, too, the conditions which surround labor. I can remember in my boyhood that section men working on the railroads labored 12 hours a day and received \$1 a day. There was an old saying that "A dollar a day is darn poor pay," but that is all they got. A man would start out in life as a laborer, and at the end of his life, long or short—and it was usually short—he was still a laborer and his children were laborers. No funds were provided that made it possible for the children of the laboring man to have the benefits of education; the family of the laboring man was deprived of the advantages of lectures, of music, of recreation, and of all those things which add so much to the happiness of life.

Then somebody thought of the labor union, and out of it came the combinations of labor, and the laboring man dealt collectively with his problems. Then, Mr. President, the condition surrounding the laborer and his family improved. He lived in a better home; he had better food for his family; they were better clothed; and they had some of the luxuries of life. Certainly no one having in his heart the milk of human kindness would for a moment wish to have conditions in regard to labor otherwise than as we find them to-day. But who can question that these combinations of laboring men and their ability to fix the price of their labor are violative of economic law? The laws of supply and demand are set aside by these combinations. So, Mr. President, in that field we have violations of economic law.

When it comes to fixing interest rates in the various States, the rates of fare, and the rates charged for freight upon the railroads, those rates are not fixed by the competitive laws of economics; they are established in violation of economic laws.

So, Mr. President, so far as I am concerned, I am not at all disturbed when I hear some great economist say that the McNary-Haugen bill is economically unsound, that it is violative of the ordinary laws of supply and demand. It must be admitted at once that that is true.

We have had a great many swimming contests lately. A charming young woman of my city swam the English Channel, and I notice that a woman, equally charming, I have no doubt, living in the State of California, has swum across the channel from Catalina Island to Point Vincente on the Pacific coast. In any swimming contest the sporting element would be eliminated if one contestant were permitted to wear an inflated rubber bag to keep his head above the surface of the water, and another contestant were permitted to wear webbed gloves to increase his power in stemming the tides and the waves. But the great capitalists, the great manufacturers of this country, have the equivalent of inflated rubber bags in the protective-tariff system. The laboring men—and I am glad of it—have the value of webbed gloves in their combinations to fix the price of labor. The poor farmer, however, when he enters into the swimming contest has no rubber wings and no webbed gloves; he has to breast the tide and the waves with his own man power.

I concede at once that this bill is economically unsound; but the farmer is the victim of economic unsoundness. Practically everything that he buys, in spite of what the Senator from Ohio [Mr. Fess] said a couple of days ago, is increased in price because of the protective-tariff system. The boys upon the farm stay there no longer. The high wages of the city attract them, and so they go to the city. The farmer, then, is the victim of the economic unsoundness of the protective-tariff system and of the economic unsoundness of the method of fixing the price of labor in this country.

I want to turn once more to what the Senator from Ohio [Mr. Fess] said the other day. He attempted a defense of the tariff act of 1922. If I had not known any more about the tariff act of 1922 than I learned from the Senator from Ohio—I am sorry he is not here, for I should say these things if he were—if I knew no more about it than I learned from him, I should think that the makers of the tariff act of 1922 were angels; that they had devoted all their energy to the protection of the farmer. In order that the record may be complete, Mr. President, I desire now to make a few brief references to the tariff act of 1922.

I hold in my hand a copy of this act, and turn to Schedule 3. This is the schedule devoted to metals and manufactures of metals. I want to see just how the Republicans protected the farmer in the tariff act of 1922.

Mr. SMITH. Mr. President, may I ask the Senator from New York if he has any table in regard to the production of steel and iron showing the price paid in America and the price paid abroad for the American product?

Mr. COPELAND. Of course, I do not need to have any such table. The distinguished Senator from South Carolina, who is conversant with all these matters, knows that the American product sold abroad is sold much cheaper than it is in America.

Mr. SMITH. The point I was getting at was that I am having some tables prepared as to the products of grain after they are milled, the products of cattle and hogs after they have been procured and packed, and the products of cotton after they have been manufactured, so as to show the cost to the American consumer as compared with the cost of the identical article produced in this country when sold abroad.

Mr. COPELAND. And the research of the Senator as far as he has gone, I assume, reveals the fact that they are sold cheaper over there than they are here.

Mr. SMITH. In the case of most of them the fact is revealed that we sell what may be called the surplus manufactured article at the world's price, but in America we sell it at the protected price.

Mr. COPELAND. That is it. I agree fully with the conclusion reached by the Senator.

Turning again to the tariff act of 1922, I desire to point out that when the authors of this act were "being good to the farmer" they were good only in spots. I find in paragraph 316, for instance, that round iron or steel wire of a certain size is taxed at three-fourths of 1 cent per pound, another size at 1½ cents per pound, and where there is a value of 6 cents per pound there is an ad valorem tax of 25 per cent.

Likewise, on galvanized wire there is a tax of one-half cent per pound.

Then we come down to axles and parts thereof, axle bars, axle blanks, and forgings for axles, all very important to the farmer.

Mr. SMITH. What about steel rails?

Mr. COPELAND. I will say to the Senator from South Carolina that I am considering at this time only those iron and steel manufactured articles that are used on the farm. Of course, there is a long line of argument in the same direction which could be made with reference to steel rails, but I desire to confine what I have to say about the tariff act to the tariff placed upon articles used by the farmer.

I speak of axles and parts thereof. These are charged for at six-tenths of 1 cent per pound, so that the farmer has to pay not alone the original value and the fair price of these parts, but he must pay in addition the tariff which is imposed by the act of 1922.

Bear in mind, Mr. President, that the prices placed upon these articles are not sums collected and turned over to the United States Government.

These are products made in this country and sold in this country. The price is added, not to help defray the expense of government, but because it is necessary to protect American labor against the cheap labor abroad.

My argument, I may say, is not intended at all to dispute the importance of a proper protective-tariff system. I am a Democrat, but I am not a Democrat who believes that there should be no tariff. I believe not alone in a tariff for revenue, but also in a tariff high enough to protect American labor.

To go on, the Senator from Ohio [Mr. Fess] spoke about how the farmer was exempt from a tariff duty upon leather and shoes. He did not speak about chains of all kinds made of iron or steel. Everybody who has had anything to do with a farm knows about the use of chains in moving down the wood and the logs, pulling out stumps, and so forth. These are taxed at seven-eighths of a cent per pound, 1½ cents per pound, and so on, and certain other sizes at 4 cents per pound, besides 35 per cent ad valorem.

So, it is apparent the farmer is not free from the necessity of contributing to the welfare of the manufacturer. He is all the time contributing, by reason of the added price placed upon those manufactured products—products which he must buy in order to operate his farm—to the welfare of the manufacturer of these products.

I find that nuts, nut blanks, and washers are taxed at six-tenths of 1 cent per pound, while spiral nut locks and lock washers of iron or steel are taxed 35 per cent ad valorem.

We come to cut nails and cut spikes and horseshoe nails and horseshoes and rivets and studs and steel points and screws. They are all highly taxed, and by reason of the addition of the tax are much higher in price to the farmer; so the farmer all the time, may I repeat, is contributing to the welfare of the manufacturer.

We come now to paragraph 339. We have here table, household, kitchen, and hospital utensils, and hollow or flat ware. I want to speak particularly about utensils made of aluminum. The friends and business associates of Mr. Mellon have been able to put into this tariff act a tax upon aluminum ware

which makes the selling price a positive burden to the people of this country.

Mr. SMITH. But that is "economically sound."

Mr. COPELAND. That is "economically sound" when it comes to aluminum ware. When, however, it comes to wheat and cotton and swine, it is economically unsound; and a man who advocates it is a fit subject for the insane asylum!

Let me call your attention to aluminum ware, Mr. President.

Last fall Mrs. Copeland had occasion to make some preserves, and she did not have a preserve pot of the right size to suit her. She drove down from the farm to the village and came back with such a formidable outfit that it seemed to me it was beyond the purse of a New York farmer. I said, "How much did you pay for that?" "Three dollars and fifty cents." I said, "Just for fun, let us find out how much the tariff is, and how much the price is increased by the tariff."

So we took this aluminum pot and found it weighed 3 pounds. Since aluminum is so very light, you can imagine that it was really an immense pot. We said, "We will find out, now, what the kind-hearted makers of the tariff act of 1922 arranged in the way of tariff on such an article in order that the farmer might be taken care of." We consulted the tariff act and found, in paragraph 339, that on kitchen utensils made wholly or in chief value of aluminum there is a tax of 11 cents a pound and 55 per cent ad valorem.

This pot, you will recall, Mr. President [Mr. SACKETT in the chair]—I observe that you are following me very closely, and I am most appreciative of your courtesy, which is uniform, not confined at all to the day but always observable—you will recall that this pot weighed 3 pounds. At 11 cents a pound that is 33 cents. We will assume that this pot is worth \$2.60. At 55 per cent ad valorem that would be \$1.43. One dollar and forty-three cents added to 33 cents would make \$1.76. You see, Mrs. Copeland paid \$3.50 for the pot. That was \$1.74 for the pot and \$1.76 for the "jack pot"; and Mr. Mellon won. [Laughter.]

These figures may not be exactly correct, but in the main they are. I think it is safe to assume that when any woman goes to the hardware store and buys an aluminum utensil—a pie plate, or a dish pan, or something else—about half the amount she pays for it is the value of the product and the other half is added by reason of the favoring legislation put through by the tariff act of 1922.

The wife of every farmer who goes to the store to buy an aluminum utensil contributes to the welfare of the Aluminum Co. of America, and contributes materially. Of course, that is economically sound from the standpoint of the Republican manufacturer, but from the standpoint of an economist it must be said to be economically unsound. Certainly nothing in the McNary-Haugen bill can be more economically unsound than the protective-tariff system.

Now, to go on. I want to give just a few more illustrations of the kindness of the Republican Party to the American farmer, because the Senator from Ohio [Mr. Fess] was so confident that the farmer has been protected and not imposed upon by these wickedly uneconomic laws.

I find in the next paragraph that crosscut saws and mill saws and circular saws, and all sorts of saws, are taxed at 20 per cent ad valorem. The farmer pays his little contribution to the manufacturer of these products every time he buys a saw.

Then, if he should be so unfortunate as to need a new umbrella he has to pay on the steel frame of that umbrella 50 per cent ad valorem. That is his contribution every time he buys a new umbrella. Fortunately, the old green umbrella, which he has had since his boyhood, is in fairly good working order. It has been re-covered a number of times, but I do not blame him if he does not buy a new umbrella when he has to contribute such an outrageous price because of this tariff.

The Senator from Ohio made it appear that harness was free because the leather is free, but on all saddlery and harness hardware, buckles, rings, snaps, bits, swivels, and all other articles of the sort known as harness hardware, there is a tax of 35 per cent ad valorem, and the farmer pays that in addition to the original value of the harness.

Once in a while the farmer has to buy a new knife, a pen-knife, a pocketknife, a pruning knife, or a budding knife, and on any knife he buys he pays a high ad valorem tax. There is a tax on all the kitchen knives, butcher knives, and carving knives. He pays a tax on pliers, pincers, nippers, files, and rasps of all sorts. So the farmer is the continual victim of the uneconomic and unsound protective tariff.

Once more let me say I am not finding bitter fault with the system. I recognize that American labor can not compete with foreign labor. I recognize that the cuff and collar and shirt industries of my State could not prosper without the aid of this act. I am not finding fault with it in that sense. But I am

pointing out that the farmer has been the uncomplaining contributor through all these years to the manufacturers of this country.

I want to say, in addition, that not only has he been the uncomplaining contributor but he has given aid and support to the Republican Party on all occasions; and if there is one man who is a dyed-in-the-wool Republican it is the farmer. Yet he has been exploited and abused by the Republican Party ever since I can remember, and that is a long time.

I read the other day that the United States Steel Corporation declared a dividend of \$199,000,000. I can not think in such terms. I am reminded of the story of the small boy who came home from school crying, and whose father said, "Why, Willie, what's the matter?" He said, "The teacher licked me; and it's your fault." The father said, "Why is it my fault?" The boy answered, "You told me that a million dollars was a hell of a lot of money, and that ain't the right answer." [Laughter.]

A hundred and ninety-nine million! That is a lot of money. That is what the United States Steel Corporation paid in 1926. The Bethlehem Steel declared a dividend of \$45,000,000, and other concerns of lesser consequence in the steel world declared smaller dividends. But there was made a profit on steel products last year of about \$250,000,000. Do you wonder when you read this tariff act?

The farmers have contributed a large part of that profit. I am going to say something which, if you have not investigated, will surprise you. The farmers of America use more than half of the steel produced in America. In fence wire, plow shares, plows, and other implements that are used by the farmer there is utilized this vast quantity of steel—more than is used in the construction of buildings, more than is used in the making of steel rails. The farmers use half the steel produced in this country.

Not alone have the farmers contributed by the additional price which they had paid for manufactured products of steel, but they have contributed at least one-half of the great profits of the steel companies. One hundred and twenty-five million dollars in addition to the sums paid on manufactured steel has been the contribution of the farmers of America to the steel concerns of this country.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. NEELY. I understood the Senator to say that the Bethlehem Steel Co. had recently declared a dividend of \$45,000,000. Unless I am misinformed, the Bethlehem Steel Co. is paying no dividend on its common stock.

Mr. COPELAND. I am not here to tout the stock of any concern, and my rich friend from West Virginia probably knows more about values of stock than the plain Senator from New York.

Mr. NEELY. I do not. One of my constituents recently complained in my presence that he was receiving no dividend on his Bethlehem common stock. My interruption was prompted by a desire for accurate information, which I believed the Senator from New York could instantly supply.

May I not add that I am in sympathy with all the Senator has said since I entered the Chamber? Will not the able Senator answer the argument that was made by the Senator from Ohio [Mr. Fess] a day or two ago to the effect that the farmers are greatly favored by the existing Republican tariff law? Or does the Senator concur in the contention that the farmers pay little or no tariff on the numerous things they buy?

Mr. COPELAND. I regret exceedingly that the distinguished Senator from West Virginia has not been in the Chamber. At considerable length, as he will find by reading the Record in the morning—and I know he reads it with great care—

Mr. NEELY. I do when the Senator from New York contributes to it.

Mr. COPELAND. He will find that I have taken up the Schedule 3, covering manufactured articles which the farmer uses, at quite some length. As I have said, I do disagree with the Senator from Ohio. The farmer has been contributed to in spots, but by and large he is exploited to-day just as he has been exploited since the Republican Party started this pernicious system.

Mr. NEELY. He is paying a cent a pound tariff on nails, is he not?

Mr. COPELAND. Yes.

Mr. NEELY. And an increased tariff, under the present law, on saws, furniture, and kitchen utensils. The farmers are also paying \$35,000,000 a year tariff, under the present Republican law, on the components of fertilizers. Has the Senator from New York discussed these matters?

Mr. COPELAND. I am glad the Senator has mentioned fertilizer. If there was ever a joker in the world, it is this Republican act relating to the subject of fertilizer. That is found

taken care of on page 78 of the act, paragraph 1583, which provides:

Guano, basic slag, ground or unground, manures, and all other substances used chiefly for fertilizer, not specially provided for: *Provided*, That no article specified by name in title 1 shall be free of duty under this paragraph.

What is put in fertilizer? Ammonia, various compounds of nitrogen, phosphoric acid, and other things.

Mr. NEELY. Those are all subject to a tariff, are they not?

Mr. COPELAND. When I read the free list the first time I thought how pleased the farmer was when he heard of this Republican tariff act, and thought, "Now, we are going to have cheap fertilizer."

Everybody who knows about a farm knows that there must be fertilizer in quantity, and cheap fertilizer. Otherwise, our worn-out farms are of no use whatever in the raising of crops. So every farmer in the country must have been happy when he read that the Republicans had placed fertilizer on the free list.

Mr. WATSON. As I understand it, my friend from New York is not making a speech in favor of the pending bill, but is speaking against some law passed some years ago. When I came into the Chamber I thought he was talking about the farm bill, but I find he is making a free-trade speech. Of course, it is very easy to answer his statements; but I do not think they are pertinent to the pending bill.

Mr. COPELAND. I am not surprised at the Senator from Indiana, who is the chief advocate of a high-protective tariff in the Senate, should feel disturbed when I am attempting to help the pending bill by this particular form of discussion. I am attempting to help, and am attempting to do it by pointing out that the protective-tariff system is based on an uneconomic foundation. It violates the laws of economics. It prevents the competition which is necessary if we are to have the system free from economic unsoundness.

Mr. WATSON. Of course, I do not agree with that at all, because if that were true, all the leaders of the Nation have been uneconomic, from Washington down to this time.

Mr. COPELAND. They have been.

Mr. WATSON. What on earth has that to do with the pending bill?

Mr. NEELY. Mr. President, did not the Senator from Indiana hear the argument between the Senator from Idaho [Mr. Gooding] and the Senator from Ohio [Mr. Fess] on that subject day before yesterday? Everybody else in Washington and near-by cities heard it. Does he not know that these two great Republican leaders engaged in an irreconcilable conflict as to who is and who is not protected by the present Republican tariff law?

Mr. WATSON. No; I do not think there was any difficulty about that at all.

Mr. NEELY. Does the Senator mean to say that he did not hear the Senator from Idaho and the Senator from Ohio discussing the matter?

Mr. WATSON. I did not.

Mr. NEELY. The Senator must have been farther away from Washington than his home town in Indiana.

Mr. WATSON. Mr. President, will the Senator from New York yield?

Mr. COPELAND. No; I do not yield any further. I want to say to the Senator from Indiana that I do think the men from Washington down have violated the economic laws. If the Senator had been in the Chamber, he would have heard me say that so far as I am concerned I am willing to have them violate the economic laws, because I believe in a moderate protective tariff. But I am pointing out and using as an illustration the fact that the tariff law is uneconomic and that any man who stands for it ought to be willing to stand for the McNary-Haugen bill, because that bill, in my judgment, is no more economically unsound than is the tariff system.

I am going to complete my statement about fertilizer. The manufactured fertilizer contains phosphoric acid. This chemical is taxed at 2 cents a pound. The hungry Republicans could not wait; they put it in the very first paragraph of Schedule 1. Two thousand pounds in a ton, 2 cents a pound, \$40 a ton tax. Fertilizer is free except that it is taxed \$40 a ton. It is all humbug if there is any effort to make it appear that the Republicans have sought to do anything for the farmer. They have not. They have exploited the farmer from the beginning of the organization of the party.

For myself, my views were well stated by Congressman GREENWOOD, of the Senator's own State. He said:

I have no desire to discuss the theory of the tariff. Suffice to say that I am not a free trader, neither do I believe in using the taxing power of the Federal Government as means of robbery of the many for the benefit of the few. I do not care to talk about the ancient doc-

trine of infant industries that do not now exist. Nor to refute the argument about tariff for the benefit of labor, when the return goes into the pocket of the capitalist, who never renders an accounting to labor for this legislative trust fund. I merely want to show the farmer he is worse off under a high than under a low tariff, and for this purpose I am inserting another table, showing relative costs of necessary articles on the farm and how much more he is expected to pay now with a cheap farm dollar than he did in 1914 under a Democratic administration, when his dollar, as shown by the former table, was worth a dollar and more:

Implements	1914	1924
Hand corn sheller	\$8.00	\$17.50
Walking cultivator	18.00	38.00
Riding cultivator	25.00	62.00
1-row lister	36.00	89.50
Sulky plow	40.00	75.00
3-section harrow	18.00	41.00
Corn planter	50.00	83.50
Mowing machine	45.00	95.00
Self-dump hayrake	28.00	55.00
Wagon box	16.00	36.00
Farm wagon	85.00	150.00
Grain drill	85.00	165.00
2-row stalk cutter	45.00	110.00
Grain binder	150.00	225.00
2-row corn disks	38.00	95.00
Walking plow, 14-inch	14.00	28.00
Harness, per set	46.00	75.00

But we come once more to the McNary-Haugen bill, which my friend from Indiana wants me to discuss and nothing else for fear it might somehow or other impinge upon—I would not be so immodest as to say weaken—the arguments of the Republicans of the Senate.

I want to make it clear, because it is the only justification I have for my vote, that I believe the unsoundness of the protective tariff system is excuse enough for any economic unsoundness which may repose in the McNary-Haugen bill. Both are unsound, but one is no worse than the other, as I see it.

Let me take up another phase of the problem. The question is, Will the price of bread be increased by reason of the passage of this measure? Will the people in the cities pay more for bread? I think they may, perhaps, pay more for bread if the price of wheat were raised 60 cents a bushel.

Mr. GOODING. The equalization fee to the consumer would not be more than the tariff of 42 cents a bushel.

Mr. COPELAND. I hope the Senator is right. My judgment is that the increase, whatever it is, will be passed on to the consumer.

Mr. GOODING. The price of wheat to-day is at least 35 cents less than it was four years ago, yet the price of bread remains the same.

Mr. COPELAND. That is true.

Mr. GOODING. The price of bread has not been changed at all, though wheat has fluctuated up and down. I do not know whether the Senator heard me or not, but I made the statement, which is true, that out of a 10-cent loaf of bread the farmer gets only 1 cent and 4 mills for the wheat that enters into that loaf of bread.

Mr. COPELAND. I heard the Senator's excellent and convincing speech, but I want to be perfectly candid in my presentation of the subject. It is my conviction that there will be an increase in prices, but I am going to justify that in a moment, if I am able.

There should be no increase in prices. Last year and the year before the farmers of the country received \$7,500,000,000 for their products. The consuming public paid \$22,500,000,000 for those same products. The sum of \$15,000,000,000 was added to the price of the products between the producer and the consumer. If the States would do their duty, if profiteering were stopped, there would be no excuse for the addition of any such sum to the prices paid by the consumer. But suppose we do pass on to the consumer the added price of wheat under this measure. I want to ask this question of any fair-minded man living in a great city: Are we not willing to assist the farmer?

In that connection, let me speak of my own city, New York City. In New York City the value of the manufactured products exceeds the value of the manufactured products of Pittsburgh, Cincinnati, St. Louis, Milwaukee, Cleveland, Detroit, Buffalo, and Boston. I want Senators to bear that statement in mind for a moment. Think of the great manufacturing interests of my city. How many people do Senators think use the needle in my city to make a living? One million!

Is it not better to have an adjustment of affairs in the country so that the great consuming public, the farmers, may have money with which to buy the products made in my city than it is to have the price of bread half what it is to-day and nobody in New York with money to buy it? It is better to have

a cent added to the price of a loaf of bread than to have bread lines instituted in the great cities of America.

I believe that if we are to have prosperity, and continued prosperity, in the cities of the country there must be prosperity upon the farm. The farming industry is the fundamental industry, and unless the farmer can buy no one can sell. As I view it, from the standpoint of the working man and the working woman in the great cities, it is far better, if need be, to pay a little more for the product—and I am glad to say this is the attitude of the American Federation of Labor—than to have bread lines instituted.

So, Mr. President, I believe, viewed wholly from the standpoint of the economist, that the bill is economically unsound, but contrasted with the economic unsoundness of the protective tariff system and the other methods used to fix prices in America, it is no more economically unsound than are they. Because I feel that the farmers of the country must be given an equal chance in the economic world I am going to vote for the bill. I am going to do it because, in my judgment, it will promote economic fairness and economic happiness.

Mr. NYE. Mr. President, I am prepared to-night to talk on the pending farm bill, but I understand it is desired to have an executive session. I hope some arrangement may be made or some understanding had that will give me recognition to-morrow.

Mr. CURTIS. We desire to have a short executive session. Let the Senator be recognized just as we go into executive session with the understanding that he will be entitled to the floor upon convening to-morrow, because he would have the floor when the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. That may be done.

Mr. NYE obtained the floor.

Mr. CURTIS. Mr. President, will the Senator from North Dakota yield to me to enable me to present a motion that the Senate proceed to the consideration of executive business?

Mr. NYE. I yield for that purpose.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate took a recess until to-morrow, Thursday, February 10, 1927, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 9, 1927.

COLLECTOR OF CUSTOMS

Harry C. Whitehill, of Waterbury, Vt., to be collector of customs for customs collection district No. 2, with headquarters at St. Albans, Vt. Reappointment.

UNITED STATES MARSHALS

Richard J. White, of Wisconsin, to be United States marshal, eastern district of Wisconsin. A reappointment, his term expiring April 1, 1927.

Richard C. Callen, of Colorado, to be United States marshal, district of Colorado, vice H. A. McIntyre, appointed by court.

Stanley Borthwick, of Ohio, to be United States marshal, southern district of Ohio. A reappointment, his term expiring March 3, 1927.

POSTMASTERS

CALIFORNIA

Nana M. Halferty to be postmaster at Tujunga, Calif., in place of N. M. Halferty. Incumbent's commission expires March 1, 1927.

Leonard G. Hardy, jr. to be postmaster at South San Francisco, Calif., in place of L. G. Hardy, jr. Incumbent's commission expires March 1, 1927.

COLORADO

Amy Hill to be postmaster at Arapahoe, Colo. Office became presidential July 1, 1926.

Orion W. Daggett to be postmaster at Redcliff, Colo., in place of O. W. Daggett. Incumbent's commission expired January 9, 1927.

Theodore Stremme to be postmaster at Gypsum, Colo., in place of Theodore Stremme. Incumbent's commission expired December 4, 1926.

John L. Nightingale to be postmaster at Fort Collins, Colo., in place of J. L. Nightingale. Incumbent's commission expires March 1, 1927.

FLORIDA

George E. Gay to be postmaster at Palatka, Fla., in place of G. E. Gay. Incumbent's commission expires March 1, 1927.

Clarence J. Carlton to be postmaster at Arcadia, Fla., in place of C. J. Carlton. Incumbent's commission expired December 19, 1926.

GEORGIA

William C. McBride to be postmaster at Newnan, Ga., in place of W. C. McBride. Incumbent's commission expires March 1, 1927.

Charles L. Adair to be postmaster at Comer, Ga., in place of C. L. Adair. Incumbent's commission expires March 1, 1927.

IDAHO

George F. McMartin to be postmaster at Coeur d'Alene, Idaho, in place of G. F. McMartin. Incumbent's commission expires March 1, 1927.

ILLINOIS

William H. Fahnestock to be postmaster at Rushville, Ill., in place of W. H. Fahnestock. Incumbent's commission expired January 13, 1927.

Katherine Adams to be postmaster at Riverton, Ill., in place of Katherine Adams. Incumbent's commission expires March 1, 1927.

George S. Faxon to be postmaster at Plano, Ill., in place of G. S. Faxon. Incumbent's commission expires March 1, 1927.

Fred A. Sapp to be postmaster at Ottawa, Ill., in place of F. A. Sapp. Incumbent's commission expires March 1, 1927.

Albert O. Kettelkamp to be postmaster at Nokomis, Ill., in place of A. O. Kettelkamp. Incumbent's commission expires March 1, 1927.

Walter V. Berry to be postmaster at Irving, Ill., in place of W. V. Berry. Incumbent's commission expires March 1, 1927.

Richard W. Miller to be postmaster at Hamilton, Ill., in place of R. W. Miller. Incumbent's commission expires March 1, 1927.

William D. Chambers to be postmaster at East Moline, Ill., in place of W. D. Chambers. Incumbent's commission expires March 1, 1927.

Louis Lindenbauer to be postmaster at Camp Point, Ill., in place of Louis Lindenbauer. Incumbent's commission expires March 1, 1927.

INDIANA

Amanda B. Gosnell to be postmaster at West Terre Haute, Ind., in place of A. B. Gosnell. Incumbent's commission expires March 1, 1927.

Albert O. Cripe to be postmaster at Alexandria, Ind., in place of J. L. Grider. Incumbent's commission expired September 22, 1926.

IOWA

Joseph C. Allen to be postmaster at Zeoring, Iowa, in place of J. C. Allen. Incumbent's commission expires March 1, 1927.

Oscar W. Larson to be postmaster at Odebolt, Iowa, in place of O. W. Larson. Incumbent's commission expires March 1, 1927.

KANSAS

Luella Tapley to be postmaster at Quenemo, Kans., in place of Luella Tapley. Incumbent's commission expires March 1, 1927.

Jessie I. Dickson to be postmaster at Neosho Falls, Kans., in place of J. I. Dickson. Incumbent's commission expires March 1, 1927.

Raymond R. Norris to be postmaster at Marquette, Kans., in place of R. R. Norris. Incumbent's commission expires March 1, 1927.

Walter S. Bradford to be postmaster at McLouth, Kans., in place of W. S. Bradford. Incumbent's commission expired November 9, 1925.

James G. Frazer to be postmaster at Halstead, Kans., in place of J. G. Frazer. Incumbent's commission expires March 1, 1927.

KENTUCKY

Harvey B. Ogden to be postmaster at Worthville, Ky., in place of H. B. Ogden. Incumbent's commission expired May 6, 1926.

Henry Hall to be postmaster at Waynesburg, Ky., in place of Henry Hall. Incumbent's commission expired April 26, 1926.

Eugene C. Stockwell to be postmaster at Trenton, Ky., in place of E. C. Stockwell. Incumbent's commission expires February 19, 1927.

Elzie T. Wilson to be postmaster at Sparta, Ky., in place of E. T. Wilson. Incumbent's commission expired May 3, 1926.

Charles A. Bickford to be postmaster at Hellier, Ky., in place of C. A. Bickford. Incumbent's commission expired December 14, 1926.

Lucille C. Yates to be postmaster at Grayson, Ky., in place of L. C. Yates. Incumbent's commission expired February 6, 1926.

Addie Elliott to be postmaster at Glencoe, Ky., in place of Addie Elliott. Incumbent's commission expired May 3, 1926.

Allie H. Gibson to be postmaster at Ghent, Ky., in place of A. H. Gibson. Incumbent's commission expired May 9, 1926.

Mabel K. Kipping to be postmaster at Carrollton, Ky., in place of M. K. Kipping. Incumbent's commission expired December 16, 1926.

MARYLAND

Charles W. Foxwell to be postmaster at Leonardtown, Md., in place of C. W. Foxwell. Incumbent's commission expired April 29, 1926.

Roscoe C. McNutt to be postmaster at Fallston, Md., in place of R. C. McNutt. Incumbent's commission expires March 2, 1927.

MICHIGAN

Fred W. Walker to be postmaster at Otsego, Mich., in place of F. W. Walker. Incumbent's commission expires March 1, 1927.

John S. Hamlin to be postmaster at Eaton Rapids, Mich., in place of J. S. Hamlin. Incumbent's commission expired December 8, 1926.

Gladys E. Gaskill to be postmaster at Delton, Mich., in place of G. E. Gaskill. Incumbent's commission expires March 1, 1927.

MINNESOTA

James H. Phelps to be postmaster at Litchfield, Minn., in place of E. A. Lofstrom, deceased.

Mathias R. Hannula to be postmaster at Embarrass, Minn. Office became presidential July 1, 1925.

Walter B. Brown to be postmaster at Chisholm, Minn., in place of W. E. Fay, resigned.

Jennie M. Wurst to be postmaster at Watkins, Minn., in place of G. W. Sattler. Incumbent's commission expired May 23, 1926.

Charles W. Field to be postmaster at Northome, Minn., in place of C. W. Field. Incumbent's commission expired October 6, 1925.

Erwin B. Whitney to be postmaster at Granite Falls, Minn., in place of D. N. Ruud. Incumbent's commission expired July 6, 1926.

Francis P. Kielty to be postmaster at De Graff, Minn., in place of J. J. Fitzgerald. Incumbent's commission expired March 29, 1926.

Claude C. Stubbe to be postmaster at Ashby, Minn., in place of Philip Teisberg. Incumbent's commission expired January 25, 1927.

NEBRASKA

Frank E. Crawford to be postmaster at Wymore, Nebr., in place of F. E. Crawford. Incumbent's commission expires March 1, 1927.

Hiram B. Cameron to be postmaster at Herman, Nebr., in place of H. B. Cameron. Incumbent's commission expires March 1, 1927.

Gustav A. Koza to be postmaster at Clarkson, Nebr., in place of G. A. Koza. Incumbent's commission expires March 1, 1927.

William A. Gibson to be postmaster at Cedar Rapids, Nebr., in place of W. A. Gibson. Incumbent's commission expires March 1, 1927.

NEW JERSEY

Andreas H. Fechtenburg to be postmaster at Harrington, N. J., in place of J. A. Carlson, resigned.

Jacob Feldman to be postmaster at Woodbine, N. J., in place of Jacob Feldman. Incumbent's commission expires March 1, 1927.

James A. Harris to be postmaster at Wildwood, N. J., in place of J. A. Harris. Incumbent's commission expires March 1, 1927.

Edward M. Sutton to be postmaster at Ocean City, N. J., in place of E. M. Sutton. Incumbent's commission expires March 1, 1927.

Mary H. Jeffrey to be postmaster at Deal, N. J., in place of M. H. Jeffrey. Incumbent's commission expires March 1, 1927.

Charles G. Wittreich to be postmaster at Chatham, N. J., in place of C. G. Wittreich. Incumbent's commission expires February 10, 1927.

Timothy J. Nevill to be postmaster at Carteret, N. J., in place of T. J. Nevill. Incumbent's commission expires March 1, 1927.

NEW MEXICO

C. E. Gibbs to be postmaster at Madrid, N. Mex., in place of K. L. Milam, resigned.

NEW YORK

Charles J. Lansing to be postmaster at New Woodstock, N. Y., in place of Milton Jeffery, removed.

Brainard W. Russell to be postmaster at Windsor, N. Y., in place of B. W. Russell. Incumbent's commission expires March 1, 1927.

Dennis Lamarche to be postmaster at Plattsburg, N. Y., in place of Dennis Lamarche. Incumbent's commission expires March 1, 1927.

William D. Shepard to be postmaster at Geneseo, N. Y., in place of W. D. Shepard. Incumbent's commission expires March 1, 1927.

Roof D. Miller to be postmaster at Fort Plain, N. Y., in place of R. D. Miller. Incumbent's commission expires March 1, 1927.

Frank O. Persons to be postmaster at East Aurora, N. Y., in place of F. O. Persons. Incumbent's commission expires March 1, 1927.

NORTH CAROLINA

Frank Colvard to be postmaster at Robbinsville, N. C. Office became presidential July 1, 1926.

Mattie C. Lewellyn to be postmaster at Walnut Cove, N. C., in place of M. C. Lewellyn. Incumbent's commission expires March 1, 1927.

NORTH DAKOTA

James R. Meagher to be postmaster at Velva, N. Dak., in place of J. R. Meagher. Incumbent's commission expires February 24, 1927.

James E. Galehouse to be postmaster at Carrington, N. Dak., in place of J. E. Galehouse. Incumbent's commission expires March 1, 1927.

OHIO

Paul H. Clark to be postmaster at Junction City, Ohio, in place of P. H. Clark. Incumbent's commission expires March 1, 1927.

OREGON

Nellie G. Reed to be postmaster at Gold Hill, Oreg., in place of N. G. Reed. Incumbent's commission expires March 1, 1927.

Thomas W. Angus to be postmaster at Gardiner, Oreg., in place of T. W. Angus. Incumbent's commission expires March 1, 1927.

Oscar C. Maxwell to be postmaster at Elgin, Oreg., in place of O. C. Maxwell. Incumbent's commission expires March 1, 1927.

Harry A. Cool to be postmaster at Drain, Oreg., in place of Ira Wimberly. Incumbent's commission expired February 16, 1926.

Chester G. Coad to be postmaster at Dallas, Oreg., in place of C. G. Coad. Incumbent's commission expires March 1, 1927.

Arlington B. Watt to be postmaster at Amity, Oreg., in place of A. B. Watt. Incumbent's commission expires March 1, 1927.

PENNSYLVANIA

Anthen C. Messinger to be postmaster at Tatamy, Pa., in place of A. C. Messinger. Incumbent's commission expires February 10, 1927.

David K. Angle to be postmaster at Shippensburg, Pa., in place of Q. T. Mickey. Incumbent's commission expires March 1, 1927.

Jennie A. App to be postmaster at Schaefferstown, Pa., in place of J. A. App. Incumbent's commission expires March 1, 1927.

Fred Etnier to be postmaster at Huntingdon, Pa., in place of A. J. Starr. Incumbent's commission expired September 22, 1926.

John J. Nolan to be postmaster at Farrell, Pa., in place of J. J. Nolan. Incumbent's commission expired November 23, 1925.

Whitfield Pritchard to be postmaster at Bangor, Pa., in place of Whitfield Pritchard. Incumbent's commission expires February 23, 1927.

RHODE ISLAND

William H. Godfrey to be postmaster at Apponaug, R. I., in place of W. H. Godfrey. Incumbent's commission expires March 1, 1927.

SOUTH DAKOTA

Olof Nelson to be postmaster at Yankton, S. Dak., in place of Olof Nelson. Incumbent's commission expires March 1, 1927.

Garfield G. Tunell to be postmaster at Mobridge, S. Dak., in place of G. G. Tunell. Incumbent's commission expires March 1, 1927.

Arnold Poulsen to be postmaster at Lennox, S. Dak., in place of Arnold Poulsen. Incumbent's commission expires March 1, 1927.

TENNESSEE

Ira L. Presson to be postmaster at Camden, Tenn., in place of I. L. Presson. Incumbent's commission expires March 1, 1927.

TEXAS

George Ireland to be postmaster at Victoria, Tex., in place of E. M. Tracy, deceased.

Fred L. Brown to be postmaster at Plainview, Tex., in place of F. L. Brown. Incumbent's commission expires March 1, 1927.

Mildred A. Wilder to be postmaster at George West, Tex., in place of L. G. Wilder. Incumbent's commission expired April 10, 1926.

Carlton A. Dickson to be postmaster at Cleburne, Tex., in place of C. A. Dickson. Incumbent's commission expires March 1, 1927.

VIRGINIA

Vashti V. Compton to be postmaster at Brandy, Va., in place of J. O. Fant, resigned.

WASHINGTON

Arthur A. Bousquet to be postmaster at Wenatchee, Wash., in place of A. A. Bousquet. Incumbent's commission expires March 1, 1927.

Sydney Relton to be postmaster at Richland, Wash., in place of Sydney Relton. Incumbent's commission expires March 1, 1927.

James F. Greer to be postmaster at Pe Ell, Wash., in place of J. F. Greer. Incumbent's commission expires March 1, 1927.

Fred W. Hoover to be postmaster at Eatonville, Wash., in place of F. W. Hoover. Incumbent's commission expires March 1, 1927.

WEST VIRGINIA

Robert E. L. Holt to be postmaster at Princeton, W. Va., in place of R. E. L. Holt. Incumbent's commission expires March 1, 1927.

Oliver A. Locke to be postmaster at Milton, W. Va., in place of O. A. Locke. Incumbent's commission expires March 1, 1927.

Noah W. Russell to be postmaster at Lewisburg, W. Va., in place of N. W. Russell. Incumbent's commission expires March 1, 1927.

WISCONSIN

Nathaniel C. Garland to be postmaster at Sturgeon Bay, Wis., in place of H. A. Wagener. Incumbent's commission expired June 5, 1924.

Richard J. Hansen to be postmaster at Elcho, Wis., in place of R. J. Hansen. Incumbent's commission expired December 19, 1926.

Gleason E. Stoddart to be postmaster at Beaver Dam, Wis., in place of E. E. Parker. Incumbent's commission expired August 12, 1926.

Bernard A. McBride to be postmaster at Adams, Wis., in place of B. A. McBride. Incumbent's commission expires March 2, 1927.

WYOMING

Alma N. Johnson to be postmaster at Yoder, Wyo., in place of A. N. Johnson. Incumbent's commission expires March 1, 1927.

Reuben A. Faulk to be postmaster at Lusk, Wyo., in place of R. A. Faulk. Incumbent's commission expires March 1, 1927.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 9, 1927

UNITED STATES MARSHAL

Edward Rustad to be United States marshal, district of Minnesota.

PROMOTIONS IN THE NAVY

To be rear admiral

Joel R. P. Pringle.

To be captain

Charles C. Soule, jr.

To be commanders

Robert E. Rogers.
Penn L. Carroll.

To be lieutenant commanders

John M. Field, jr.
Clinton H. Havill.

To be lieutenants

Herman B. R. Jorgensen. John W. Jamison.
Clarence L. Hayward. Llewellyn J. Johns.
Raymond D. Tarbuck. Roscoe L. Bowman.

To be lieutenants (junior grade)

John M. McIsaac. John W. Price, jr.
Thomas E. Kelly. Ralph W. D. Woods.

To be medical directors

Perceval S. Rossiter.
Frank E. Sellers.

To be medical inspectors

George R. W. French.
Claude W. Carr.

To be surgeon

John F. Hart.

To be dental surgeons

Joseph A. Mahoney.
Marion E. Harrison.
John W. Crandall.

To be paymaster

Frederick C. Beck.

To be civil engineer

Charles R. Johnson.

To be chief machinists

Thomas G. Powers.
Frederick W. Sievert.

To be chief pay clerks

Allison A. Brock. Stanley A. Mann.
Raymond V. Christmas. Stanley C. King.
Floyd L. Chapman.

POSTMASTERS

ARIZONA

Ruth L. Streett, Warren.

GEORGIA

Martha C. Aultman, Byron.
James P. Rose, Lyerly.
David M. McKee, Moultrie.
E. Stella Barrett, Union City.

IOWA

Susana F. O'Bryan, Lovilia.
Jennie M. Thomsen, Royal.

MARYLAND

John S. Dean, North East.

MASSACHUSETTS

Berton Williams, Ayer.
Harry T. Downes, Haverover.
Frederick H. Buckley, Natick.

MICHIGAN

Chauncey A. Harris, Pontiac.

MINNESOTA

William C. Wiench, Bagley.
Henry H. Lukken, Boyd.
Edwin Mattson, Breckenridge.
Thomas R. Ohnstad, Cannon Falls.
John R. Forsythe, Cohasset.
Wilson W. Wright, Cromwell.
Gustav C. Wollan, Glenwood.
Gustaf A. Johnson, Hallock.
Kate M. Shubert, Hastings.
Charles F. Mallahan, Jackson.
Edward Odberg, Kettle River.
Anna Kockelman, Kilkenny.
Gustav O. Schlick, Lucan.
Carl W. Carlson, Melrose.
John L. Beck, Mountain Iron.
George L. Chesley, Pipestone.
Norman Hanson, Renville.
John P. Grothe, Roseau.
Arthur C. Omholt, Sacred Heart.
Henry C. Megrund, Shelly.
John Schmelz, Springfield.
Mae A. Lovestrom, Stephen.
Axel M. Croonquist, Stillwater.
Daniel Shaw, Thief River Falls.
Alfred Anderson, Twin Valley.

John P. Paulson, Two Harbors.
Olaf E. Reiersgord, Ulen.
Almer B. Nelson, Warren.
Frank H. Wherland, Welcome.

MISSISSIPPI

Prentice O'Rear, Columbus.
Willie Ramsey, Drew.
Louis B. Phillips, Eupora.
Nettie Ditsworth, Lucedale.
Allene M. Mitchell, Sunflower.
Walter L. Collins, Union.
Thomas C. Kite, Weir.
William W. Cain, West.

NEBRASKA

Vernon D. Hill, Diller.
Harry C. Haverly, Hastings.
Lottie B. Trumble, Hazard.
Verne W. Langford, Laurel.
Frederick Nielsen, Lexington.
Frederick H. Davis, Madison.
James W. Holmes, Plattsmouth.
Charles T. Gammon, Rushville.
Harry S. Prouty, Spencer.
Harvey A. Loerch, Tekamah.

NEW JERSEY

Alfred J. Perkins, Atlantic City.
Richard Watt, Garwood.
Frederick C. Docker, Oxford.
Harry Simmons, Rahway.

NEW MEXICO

Emma A. Coleman, Lovington.
Charles B. Thacker, Raton.
Chester G. Parsons, Wagon Mound.

NEW YORK

Harrison D. Todd, Arkville.
Walter L. Bibbey, Fort Edward.
Sumter L. Happy, Mount Vernon.
Harry T. Nowlan, Newark Valley.
William A. Baldwin, Norwich.
Carroll F. Simpson, Phoenicia.
Earl J. Conger, Waterville.

NORTH CAROLINA

Vernon W. Faris, Henderson.

OHIO

Charles F. Decker, Vermillion.
Wilbur C. Ledman, Zanesville.

PENNSYLVANIA

James C. Whitby, Bryn Mawr.
James D. Scott, Coatesville.
Earl H. Hilgert, Cresco.
George R. Fleming, Haverford.
Robert H. Stickler, Lansford.
Edgar Matthews, sr., Royersford.
Jennie Sutton, Worthington.

WISCONSIN

Grace E. Skinner, Endeavor.

WITHDRAWAL

Executive nomination withdrawn from the Senate February 9, 1927

UNITED STATES DISTRICT JUDGE

William J. Tilson to be United States district judge, middle district of Georgia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 9, 1927

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, source of every joy and the inspiration of every earth-born hope, well may Thy praise our lips employ. We bless Thee that our lives, so mercifully preserved, still hold the freshness of Thy love. This day interpret to us again Thy ways of righteousness and truth. How we do thank Thee that Thy mercy is big enough to cover all sin, to heal all wounds, and to comfort all sorrow. While we may draw the future near and dream of a better day, may we be grateful for the good that